



Security Council

Distr.
GENERAL

S/1998/1104
20 November 1998

ORIGINAL: ENGLISH

LETTER DATED 20 NOVEMBER 1998 FROM THE CHAIRMAN OF THE SECURITY
COUNCIL COMMITTEE ESTABLISHED BY RESOLUTION 661 (1990)
CONCERNING THE SITUATION BETWEEN IRAQ AND KUWAIT ADDRESSED
TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to transmit herewith, pursuant to paragraph 14 of Security Council resolution 1153 (1998), a report of the Security Council Committee established by resolution 661 (1990) concerning the situation between Iraq and Kuwait (see annex). The report, covering the Committee's activities in relation to the implementation of the relevant arrangements under Council resolution 986 (1995) during the second half of phase IV after the date of entry into force of paragraph 1 of resolution 1153 (1998), was adopted by the Committee on 20 November 1998.

(Signed) António MONTEIRO
Chairman

Security Council Committee established by
resolution 661 (1990) concerning the
situation between Iraq and Kuwait



Annex

**Report of the Security Council Committee established by
resolution 661 (1990) concerning the situation between
Iraq and Kuwait on the implementation of the arrangements
in paragraphs 1, 2, 6, 8, 9 and 10 of resolution 986 (1995)**

I. Introduction

1. The present report is submitted to the Security Council pursuant to paragraph 14 of resolution 1153 (1998), by which the Committee was requested, in close coordination with the Secretary-General, to report to the Security Council prior to the end of the 180-day period on the implementation of the arrangements in paragraphs 1, 2, 6, 8, 9 and 10 of resolution 986 (1995). This report, the eighth of its kind, covers the Committee's major activities with regard to the implementation of the above arrangements during the second 90-day period of phase IV of the oil-for-food programme after paragraph 1 of resolution 1153 (1997) came into force on 30 May 1998.

II. Sale of Petroleum and Petroleum Products

2. Since the beginning of phase IV, the export of petroleum from Iraq has proceeded smoothly, with excellent cooperation among the oil overseers, the independent inspection agents (Saybolt), the Iraqi State Oil Marketing Organization and the national oil purchasers.
3. The overseers continue to advise the Committee on the pricing mechanisms, contract approval and modifications, management of the revenue objective and other pertinent questions related to export and monitoring under Security Council resolutions 986 (1995), 1153 (1998) and 1175 (1998).
4. As of 20 November 1998, the overseers had reviewed and approved a total of 55 contracts, involving purchasers from 27 countries. Five contracts were approved directly by the Committee and one contract was canceled by the Committee. Another contract remains pending due to the lack of supporting documentation. The total quantity of oil approved for export under those contracts corresponds to approximately 308 million barrels for phase IV. All contracts submitted employed the pricing mechanisms approved by the Committee on the recommendation of the overseers, with one exception requiring a pricing mechanism for a new destination. This has still to be submitted by the State Oil Marketing Organization (SOMO) of Iraq for the Committee's approval. That contract is therefore still pending.

5. As of 20 November 1998, 243 liftings totalling 296.7 million barrels with a value of US\$2,935 million have been completed. Letters of credit opened for each of the liftings were reviewed and confirmed by the overseers upon compliance with the terms and conditions of the contracts approved. About 50 per cent of the liftings were made at Ceyhan in Turkey. The largest share of the volume lifted went to Europe. At current low prices, total revenue for the whole phase IV is estimated around US\$3.1 billion (including the pipeline fees).

6. The overseers and the Saybolt agents deployed to monitor oil loadings and transfers have worked closely to ensure the effective monitoring of the relevant oil installations as well as the liftings. For the second consecutive year they continue to receive the full cooperation of the Iraqi authorities.

7. Pursuant to paragraph 2 of the Procedures of the Committee (S/1996/636), 299 national oil purchasers have been nominated by 48 countries who are authorized to communicate directly with the overseers.

8. Pursuant to paragraph 14 of the Procedures of the Committee, the overseers have continued to report to it once a week on the contracts concerning the sale of petroleum originated in Iraq, including the cumulative quantity and approximate value of petroleum authorized for export. To date, 99 such reports have been submitted to the Committee.

III. Export of Humanitarian Supplies to Iraq

9. As in the previous phases, the Committee continued to attach high priority to the work of processing contracts for supplying humanitarian goods to Iraq during the second 90-day period of phase IV.

10. As of 20 November 1998, the Secretariat have received a total of 769 applications under phase IV for exports of humanitarian supplies to Iraq, totalling approximately US\$1.97 billion. Five hundred and eighty-six of these contracts with a value of US\$1.54 billion have been circulated to Committee members for action, 165 are still being processed with a value of US\$430 million and 18 have been subsequently canceled. Of those sent to the Committee for consideration, 547 are found eligible for payment from the United Nations Iraq Account, totalling approximately US\$1.39 billion; 33 applications have been placed on hold with a value of US\$147.5 million and 6 applications, valued at US\$3 million, are pending under the "no-

objection" procedure. Of the 547 applications which are found eligible for payment from the Iraq Account, 483 letters of approval have been released based on the availability of funds and the remaining 64 are still waiting for sufficient funds to become available in the Iraq Account.

11. The work of goods-arrival-confirmation by the United Nations independent inspection agents (Lloyd's Register) has been going on at the four entry points in Iraq at Umm Qasr, Trebil, Zakho and Al-Walid. On 13 November 1998, upon the unilateral decision taken by Lloyd's Register, the independent inspection agents have been withdrawn from their posts in Iraq. They resumed their work on 16 November 1998. As in previous phases, the Iraqi authorities have accorded the independent agents full cooperation in their work. By 20 November 1998, 1,835 consignments of humanitarian supplies under phase IV have been confirmed as having arrived in Iraq in total or in partial shipments.

IV. Efforts by the Committee to Expedite Deliveries of Humanitarian Goods to Iraq

12. At the beginning of phase IV, the Committee agreed to introduce a simplified procedure with regard to applications for foodstuffs by which the Committee decided to confer upon the Secretariat the authority to determine whether applications for foodstuffs were in order under the established guidelines and points of understanding and submit them for approval to the Chairman of the Committee in accordance with the conditions set out in the guidelines and points of understanding (appendix to S/1998/336). As stated in the Committee's 90-day report under phase IV (S/1998/813), because of the lack of a pricing mechanism to be submitted by the Government of Iraq and approved by the Committee, the above-mentioned arrangement remains to be implemented and applications for foodstuffs have been processed according to the standard procedures. This situation remains unchanged to date.

13. The issue of reimbursement of the 53 per cent account from the 13 per cent account for joint purchases continues to be an increasing concern for the Committee and the Secretariat. As at 20 November 1998, the amount to be reimbursed from the 13 per cent account to the 53 per cent account totals US\$229 million. The Committee has considered the issue on a number of occasions, the last of which during its 175th meeting on 28 October 1998 on the basis of the report by the Executive Director of the Office of the Iraq Programme, in which he announced that he would make a proposal on the issue by the end of December 1998, while ensuring that deliveries of humanitarian supplies are made to three northern governorates.

14. In accordance with a decision taken by the Committee, two informal meetings took place

on the issue of holds, which proved to be useful to the members of the Committee in order to facilitate the approval process of oil spare parts contracts.

V. Matters relating to Oil Spare Parts and Equipment to Iraq

15. With the adoption of resolution 1175 (1998) on 19 June 1998 by which the Security Council authorized States to permit, notwithstanding the provisions of paragraph 3 (c) of resolution 661 (1990), the export to Iraq of the necessary parts and equipment to enable Iraq to increase the export of petroleum and petroleum products, in quantities sufficient to produce the sum of \$5.256 billion, the Committee began on 8 July 1998 the process of approving contracts for the import by Iraq of oil parts and equipment according to lists approved by the Committee for each individual project, within the framework of a total sum of US\$300 million earmarked for that purpose. Meanwhile, the Office of the Iraq Programme developed, as requested by the Committee, a monitoring system which would enable the United Nations to keep track of the spare parts from their import to utilization. The Committee welcomed the work of the Secretariat, Saybolt and the overseers in order to facilitate the approval process of oil spare parts contracts.

16. As of 20 November 1998, the Secretariat has received a total of 355 applications to ship oil spare parts and equipment to Iraq under resolutions 1153 (1998) and 1175 (1998). Except for 40 which are being reviewed by the experts in the Secretariat or have been returned to the applicant Missions for further information/clarification or correction, 274 have been circulated to the members of the Committee for their consideration. Of those circulated, 152 applications have been approved with a total value of US\$102.8 million: 105 applications with a value of US\$44 million have been placed on hold and 17 applications are still pending under the "no-objection" procedure. The Committee will continue its effort to speed up the approving process of such contracts.

VI. Conclusions

17. The Committee will continue to work, in close coordination with the Office of the Iraq Programme, towards effective implementation of all relevant arrangements under the oil-for-food programme. The Committee wishes to express its appreciation once again to all parties concerned for their cooperation and contribution in this respect.



Security Council

Distr.
GENERALS/1998/1105
20 November 1998

ORIGINAL: ENGLISH

LETTER DATED 19 NOVEMBER 1998 FROM THE PERMANENT REPRESENTATIVE
OF ERITREA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF
THE SECURITY COUNCIL

Subsequent to our previous communication of 11 November 1998 (S/1998/1060), I have the honour to forward to you, as a sequel, the briefing statement presented to the diplomatic community in Asmara by the Minister for Foreign Affairs of the State of Eritrea on 12 November 1998, concerning Eritrea's initial reactions to the proposals presented by the Organization of African Unity (OAU) team in Ouagadougou (see annex).

I am further instructed to communicate to you that, as described in our earlier communication of 11 November 1998, Eritrea welcomes the OAU's ongoing peace effort and regards the Ouagadougou meeting as positive in that it provided a forum for a better understanding of all the pertinent issues involved. Eritrea shall continue to participate positively in the process, and shall, as requested by the OAU team, present its detailed reaction to the points raised in the "Proposals for a Framework Agreement" in time to be considered at the forthcoming OAU discussions of the matter scheduled for December 1998.

I should be grateful if you would kindly circulate the present letter and its annex as a document of the Security Council.

(Signed) Haile MENKERIOS
Ambassador
Permanent Representative

Annex

Statement by the Minister for Foreign Affairs of Eritrea
of 12 November 1998

I wish to thank you for accepting our invitation to attend this briefing session on the Ouagadougou meeting held last weekend under the auspices of the Organization of African Unity (OAU).

You will have received the statement issued by our Ministry of Foreign Affairs explaining our views on the talking points proposed by the OAU High-level Committee. I have called this meeting in order to have a deeper exchange of views with you and to highlight the salient points in our statement of 9 November 1998.

1. The OAU talking points contain some new and positive elements. The most important of these is the recognition that the border dispute did not start in May 1998 but that it goes back at least to July 1997. The OAU has called for an investigation into the incidents of July and August 1997 and 6 May 1998 "in order to determine the origins of the conflict". This investigation, which Eritrea has been calling for from the very beginning, will be helpful in exposing that it was Ethiopia which provoked the current crisis by: (a) using force to create facts on the ground through its occupation of Adi-Murug in Bada and incursions in the Badme area in July 1997; (b) triggering the armed clashes through unleashing the first unprovoked attack against our units on 6 May 1998 in the Badme area. We believe that these investigations will be vital in illustrating which party committed acts of aggression and that they should have a bearing on the framework of a solution.

2. The second, equally important point incorporated in the talking points is the recognition that the border dispute can only be resolved through demarcation on the basis of the colonial boundaries. Again, this is a fundamental point which the Eritrean Government has stressed from the beginning. Eritrea's boundaries with Ethiopia are unambiguous as defined by the Treaties of 1900, 1902, and 1908. But the crucial issue here is whether Ethiopia respects these boundaries. Ethiopia's issuance of the illegal map in October 1997 illustrates that this is not the case. Its actions since then also attest to this fact. Eritrea has therefore asked for explicit and unambiguous language that makes it clear that Eritrea's boundaries are precisely those inherited from Italian colonialism.

3. Eritrea is asked in the talking points to show "goodwill" and redeploy from Badme. Eritrea has reiterated its call that OAU ascertain first the coordinates of Badme village in reference to Eritrea's colonial boundaries before pronouncing on "redeployment and interim administration". This is, incidentally, a simple task that can be performed within a day with modern equipment. The other related element is the issue of goodwill. Eritrea has underlined that goodwill has to be asked of both sides and cannot, at any rate, apply to relinquishing sovereignty - on however a temporary basis - to a foreign country.

/...

4. Eritrea further emphasized that the call for a cessation of hostilities inserted as the first point in the document be implemented through an agreement signed by both parties at the Ouagadougou meeting. But this was rejected by the Ethiopian side.

These are the main points that Eritrea requested to be incorporated in a viable framework of a peaceful solution. We have also asked that the record on the deportation of civilians be put straight inasmuch as it is inserted in the talking points. In the end, the OAU High-level Committee informed us that these issues will be discussed at the next meeting of the Central Organ, scheduled in December 1998, and asked both sides "to communicate (to it) subsequently their definitive response".

I hope that this brief overview is useful in giving you a picture of what transpired in Ouagadougou and what we can expect in the period ahead. I shall be pleased to answer any questions that you may have.



Security Council

Distr.
GENERALS/1998/1106
20 November 1998

ORIGINAL: ENGLISH

LETTER DATED 20 NOVEMBER 1998 FROM THE EXECUTIVE CHAIRMAN OF
THE SPECIAL COMMISSION ESTABLISHED BY THE SECRETARY-GENERAL
PURSUANT TO PARAGRAPH 9 (b) (i) OF SECURITY COUNCIL RESOLUTION
687 (1991) ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

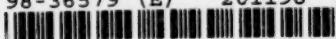
In the context of the United Nations Special Commission's (UNSCOM) resumption of work in Iraq, on 17 November 1998, I addressed three letters to the Deputy Prime Minister of Iraq on 17, 18 and 19 November. Copies of those letters are attached, as are two replies received from Iraq on 19 November. These are replies to my letters of 17 and 18 November 1998.

As will be evident from their texts, the purpose of my three letters was to seek from Iraq documents and explanations in the three weapons fields identified in UNSCOM's mandate, in an attempt to bring to account outstanding disarmament issues and to generally increase the level of verification available to the Commission with respect to those issues and the related matter of concealment activities by Iraq. It was judged to be appropriate to seek this information now, inter alia, in the light of Iraq's undertaking, given on 14 November, that it was prepared to extend to the Commission the full cooperation required of it under relevant resolutions of the Security Council.

In addition to forwarding this correspondence to you, for the information of members of the Council, I thought it would also be helpful to offer members of the Council UNSCOM's analyses and commentary on the Iraqi replies. This is as follows.

First, an underlying contention in both replies by Iraq is that preparations for a comprehensive review of Iraq's compliance with its obligations has already commenced. This contention has had an impact on Iraq's replies. The Iraqi reply to my letter of 18 November on Iraq's biological weapons programme is the main case in point.

Iraq declines to furnish the Commission with any further information on its biological weapons programme, stating instead that "the comprehensive review will determine whether the disarmament phase has been completed, or whether steps in the biological file need to be taken to fulfil the requirements of the disarmament phase". This stance appears to ignore the fact that, on four occasions, during the last 18 months, international experts have concluded unanimously that Iraq's current disclosure statement in this area is deeply



deficient and does not provide a basis for any credible level of verification. The experts recommended that Iraq be requested to provide to the Commission further information and documents.

This is why the letter of 18 November was sent. Iraq's reply seems to indicate that it is not prepared to do any further disarmament work with the Commission in the biological weapons area, unless required to do so by the Security Council, following a comprehensive review.

Accordingly, I have written to Mr. Tariq Aziz asking that further consideration be given to the issues raised in my letter of 18 November. A copy of that letter is attached.

Secondly, in the reply to the letter of 17 November, the explanation given by Iraq in answer to our request to have access to the relevant archives of the Iraqi Ministry of Defence, the Military Industrialization Corporation and other Government departments, avoids the question as put and does not undertake that such access will be granted.

While it is the case that inspections were conducted at the times and sites mentioned in Iraq's reply, those were not specifically for the purpose to which our request of 17 November was directed. Access by UNSCOM to the archives to be provided, as I hope, through cooperation by Iraq, would be the most effective and least controversial way of the Commission obtaining the necessary evidence for the accounting of Iraq's prohibited weapons programmes. It would avoid seeking out such documents through intrusive inspection which, as Council members are aware, has sometimes been the source of tension and blockage.

Sight should also not be lost of the fact that Iraq has an obligation under the resolutions of the Council to make available to the Commission any document which in the Commission's view is relevant to its mandate. Full access, full disclosure by Iraq would be of immense assistance. That is why it was asked for such an access, generically.

Finally, it should be noted, in this context, that Iraq's response does not seek to assert that the relevant archives do not exist.

Given below are specific comments on the points made in the annex to Iraq's reply to the letter of 17 November.

1. The Commission requested Iraq to provide the document on the consumption of special munitions found by the Commission's inspection team at the Air Force Headquarters on 18 July 1998.

According to expert assessment, this document details Iraq's consumption of special munitions in the 1980s, filled with chemical warfare agents. In its reply, Iraq states that its activities during the above-mentioned time-frame fall outside the scope of UNSCOM's mandate. However, to verify and to account credibly for all proscribed weapons which remained in Iraq after the Gulf war, the Commission has to know the total holdings of Iraq's chemical weapons and their disposition prior to the adoption of resolution 687 (1991). Therefore, this document is directly related to the mandate of the Commission.

/...

The Security Council has demanded that Iraq deliver this document to the Commission.

2. The Commission requested Iraq to provide the "Reply of the Muthanna State Establishment on the Recommendations of the Ministry of Defence on actions concerning the development of chemical weapons". In its response, Iraq stated that this matter was concluded to the satisfaction of the Commission. Iraq also claimed that this document was not raised as one of the pending questions, in June 1998.

The following are the facts. In early 1996, the Commission knew of the existence of this document through references made to it in other documents provided by Iraq. Iraq acknowledged that the document had been issued and promised to locate it. Subsequently, in 1997, Iraq stated that the document could not be found and, therefore, did not exist any more.

The document itself is not an outstanding issue. It is a tool to verify those selected priority issues outlined in the Schedule for Work for June 1998 and accepted by Iraq, such as material balance of special munitions and the issue of the chemical warfare agent VX.

3. The Commission, acting upon the recommendations of the international experts during the Technical Evaluation Meeting on VX (February 1998), requested Iraq to provide documents and records on the status of the production of the chemical warfare agent VX in 1990. The existence of such records in 1990 had been confirmed by Iraq personnel, then involved in these activities, in the course of interviews.

Iraq, in its reply, does not respond to the question, but refers to the claimed failure of the production of VX. So far, Iraq has provided records on the production of VX only until May 1988. Iraq's declared production of VX in 1990 remains unverified.

4. The Commission, in its letter dated 17 November, requested Iraq to provide the whole diary of Brigadier Ismail from the Surface-to-Surface Missile Force dealing with missile-related activities in 1990 and 1991, and the report dated 30 January 1991, prepared by Lt. Gen. Hazem Abdul Razzak, Commander of the Surface-to-Surface Missile Force (SSMF).

In its verification of the material balance, it is essential for the Commission to have accurate and verifiable information on how many proscribed missiles and related operational assets Iraq had possessed at the time of the adoption of Security Council resolution 687 (1991). The Commission repeatedly sought to obtain supporting documentary evidence for Iraq's declarations in this regard.

In 1996, a biological weapons inspection team was given copies of a few pages from the whole diary of Brigadier Ismail. Those pages dealt directly with biological weapons warheads. When the Commission started finalization of the material balance of the proscribed missile warheads, both conventional and special, and missile launchers and propellants, the Commission asked Iraq for other parts of this diary. Brigadier Ismail was presented to the Commission as

/...

a senior officer responsible for the deployment and inventory of long-range missiles and their operational assets in a period of late 1990 and early 1991. Thus, access to his diary would provide pertinent information as to the quantity of proscribed missiles, their warheads and launchers that Iraq possessed before and after the war. The diary specifically dealt with receipt and deployment of long-range missiles, including those equipped with chemical and biological warheads. Such information, which was considered by Iraq as very sensitive, would belong to the category of State secrets. It could not be recorded in "personal diaries" and kept at private homes of military officers. It should be noted that when a renewed request was made for the whole diary, Brigadier Ismail himself did not state that the document had been destroyed. This explanation only came later after repeated reminders from the Commission about this request.

5. The recently published memoirs of Lt. Gen. Hazem Abdul Razzak, Commander of the SSMF, contained a reference to a report of 30 January 1991 to his superiors. According to the Commander, the report contained information on the "balance of missile and warheads" that existed on that date. Such information, if provided to the Commission, could facilitate the establishment of verifiable quantity of proscribed missiles and warheads that existed at the time of the adoption of resolution 687 (1991). Iraq's response claims that the Commander took notes from the document and then destroyed the document itself. The Commission would welcome it if Iraq could provide access to the notes that served as a basis for the memoirs of the Commander of the Surface-to-Surface Missile Force. It should be noted that the Commander could have destroyed only a copy of his report that he sent to his superiors, not the original, which should have been kept by the addressee.

6. The Commission welcomes Iraq's readiness to present the necessary documents and awaits Iraq's submission of these documents so that they could be translated and studied by the Commission. It should be noted that the request for such documents was not made for the first time. A similar request was contained in the Commission's letter dated 4 November 1996 and was subject of discussions on several occasions between Iraq and the Commission. On those occasions, Iraq stated that the requested documents were not available.

7. The Commission sought documents in order to facilitate verification of Iraq's indigenous production of proscribed missiles. Eleven pages from Engineer Muqdam's diary were given to the Commission in July 1998 and were of great assistance in clarifying some of the outstanding issues involved. In view of the important nature of the document, the Commission asked for access to the whole diary of Engineer Muqdam, who was involved in the critical area of indigenous production of proscribed missile engines. The Iraqi experts themselves used his diary for the preparation of their declarations on that issue in early 1997. The Commission hoped that access to this document would provide further helpful information. It is not clear from Iraq's response why and when Engineer Muqdam decided to destroy his diary and why he, nevertheless, decided to keep only eleven pages from it.

8. Iraq has not provided any document relating to the unilateral destruction of the proscribed missile propellants in 1991. During its inspection activities, the Commission was told that all inventory documents certifying consumption or destruction of proscribed missiles and related assets had been

available at least until late 1992. According to the officer responsible for keeping them in the accounting section of the Ministry of Defence, he gave the whole set of these documents to the authorities dealing with the Special Commission. The documents that were handed over by them to the Commission (some from 1992 to 1994, the rest in 1995 and 1997), did not contain at least two inventory diaries (No. 9 and No. 12 for 1991) that correlated with the time of the declared unilateral destruction of the proscribed missile propellants. It was also confirmed during the inspection activities that an inventory diary certifying the unilateral destruction of missile propellants should have been prepared similar to the diaries that were prepared for the unilateral destruction of missiles and their warheads. However, the diary for the unilateral destruction of the proscribed propellants has not been given to the Commission.

9. The Commission takes note of Iraq's position. However, the Commission has received information from various sources regarding the existence of such inventories.

10. It is correct that the Deputy Prime Minister did state on many occasions that he took the decision to destroy, unilaterally, proscribed weapons and gave the relevant orders for this operation to be carried out. Although the Commission notes this declaration, it considers that following such a strategic decision, written orders for destruction would have been given to the authorities charged with carrying out the destruction. The Commission is also of the view that such authorities would have kept written records of those operations. It is considered legitimate to request such information about the destruction process, in order to be able to verify what had been ordered to be destroyed and that all proscribed weapons had indeed been destroyed.

11. As far as the report on the defection of Hussein Kamal is concerned, it is true that the Iraqi authorities declared that no formal investigation was conducted. However, on many occasions, Iraq has said that an inquiry did take place. The conclusions of this investigation are assumed to be relevant to the Commission's mandate, not least because, for a period, Hussein Kamal was the head of the Military Industrialization Corporation, Iraq's main organization responsible for proscribed weapons programmes.

12. The Special Commission takes note that Iraq denies the existence today of a high-level Committee dealing with the proscribed weapons of Iraq. However, the Special Commission wishes to recall that according to Iraq's own admission in 1996, a special High Level Committee had been formed on 30 June 1991 to address the issue of retaining proscribed materials and weapons. By requesting minutes of this Committee's meetings, the Commission was seeking to acquire a better knowledge of the facts both with respect to Iraq's unilateral destruction of weapons and possible concealment of weapons, in order to verify that all retained weapons had indeed been destroyed.

As members of the Council will observe, in my letter of today to Mr. Tariq Aziz, I have underlined the importance we attach to the maintenance of dialogue between UNSCOM and Iraq.

(Signed) Richard BUTLER

/...

Annex I

Letter dated 17 November 1998 from the Executive Chairman of the Special Commission established by the Secretary-General pursuant to paragraph 9 (b) (i) of Security Council resolution 687 (1991) addressed to the Deputy Prime Minister of Iraq

This letter is written following the decision by the Government of Iraq, on 14 November, to resume cooperation with the Special Commission and the IAEA and the agreed statement by the President of the Security Council on that decision.

The Commission remains committed to working with Iraqi authorities in the full implementation of the Commission's mandate, as established by the relevant Security Council resolutions.

I continue to believe that, with Iraq's full cooperation, the Commission can proceed to bring the respective disarmament areas to account, expeditiously.

This letter is the first of a number of letters designed to significantly advance our work with respect to accounting for Iraq's proscribed weapons and related capabilities. Attached to this letter is an annex listing, for your immediate attention, certain documents, mainly in the chemical weapons and missile areas. I ask that the Government of Iraq provide those documents now. This would greatly facilitate the Commission's work relating to the disarmament issues defined in Appendix I of the Commission's report to the Security Council of 16 June 1998 (S/1998/529).

Tomorrow, I intend to address to you a further letter regarding Iraq's biological weapons programme. I have separated out the concerns we have in this field because, as you know, they are of a particular character.

Additionally, it is important for Iraq to now fulfil outstanding requests from the Commission for the provision of documents relating to disarmament issues which have already been discussed between the Commission and Iraq in the past and which are not listed in the annexes to the present letter. They are well known to you as they were the subject of correspondence and meetings.

The provision of the documentation and information which is being requested by the present and subsequent letters should help the Commission in accounting for particular proscribed weapons and increase the Commission's confidence in the verification already achieved, which in certain areas is needed. The consequent results would be reported to the Security Council.

I would recall that, on a number of occasions, the Security Council has demanded that the Government of Iraq allow immediate, unconditional and unrestricted access to records that the Commission wished to inspect in accordance with its mandate. At the Emergency Session of the Special Commission, in November 1997, its members recalled that the effectiveness and the speed with which the Special Commission might accomplish its responsibilities is, above all, determined by the degree to which the Government of Iraq cooperates in disclosing the full extent and disposition of its proscribed programmes and in granting the Commission unimpeded access to sites, documents and records the Commission wishes to inspect and to individuals required for interviews, in order to implement its mandate the Security Council resolutions. The Security Council endorsed the conclusions and recommendations of the Emergency Session, including this particular one.

Within the general context of the Commission's requests for documentation and information, I would like to point out that all aspects of the Commission's work relating to accounting for and verifying Iraq's proscribed programmes would

be greatly facilitated if the Government of Iraq would provide access to the relevant archives of the Iraqi Ministry of Defence, the Military Industrialization Corporation and other Government departments. I shall return to this matter in the near future.

(Signed) Richard BUTLER

Enclosure

Document on the consumption of special munitions found by the Commission's inspection team at the Air Force Headquarters on 18 July 1998

Reply of the Muthanna State Establishment in September 1988 on the recommendations of the Ministry of Defence of 30 July 1988 (document number D/SS/Chem/109/15504) with respect to future actions concerning the development of chemical weapons

Documents and records on the status of the production of chemical warfare agent VX in 1990

Full diary of Brigadier Ismail from the Surface-to-Surface Missile Force dealing with missile related activities in 1990 and 1991 (several pages have been provided to the Commission)

Report, dated 30 January 1991, prepared by Lt. General Hazzem Abdul Razzaq, Commander of the Surface-to-Surface Missile Force (mentioned in his recently published memoirs)

Governmental and Ministerial documents concerning the creation of missile Unit 223 in 1990 and its equipping with missiles, launchers, warheads, ground support equipment, propellants etc.

Full diary of engineer Muhkdam dealing with indigenous production of missile engines in 1990 and 1991 (several pages have been provided to the Commission)

Documentary evidence on the unilateral destruction of missile propellants in 1991 including an inventory diary certifying the destruction and inventory diaries # 9 and # 12 for 1991 of the First Maintenance Unit of the Surface-to-Surface Missile Force

Documents of May 1991 with inventories of available chemical, biological weapons, missiles and their warheads, launchers and other relevant equipment

Decision documents of April, June and July 1991 to retain proscribed weapons, material and documents

Report on the Governmental investigation of the departure of Lt. General Hussein Kamal and the actions he took to conceal proscribed capabilities and documents

Minutes of meetings of the High-level committee on retention of proscribed weapons and materials /...

Annex II

Letter dated 18 November 1998 from the Executive Chairman of the Special Commission established by the Secretary-General pursuant to paragraph 9 (b) (i) of Security Council resolution 687 (1991) addressed to the Deputy Prime Minister of Iraq

In the letter which I addressed to you yesterday, I indicated my intention to write to you further on the biological weapons area. The serious concerns which have arisen in this area are well known to you. I hope we can now move forward towards solving them as soon as possible.

As you know, in the last 18 months, Iraq's full, final and complete disclosures (FFCDs) in the biological weapons area have been reviewed by four groups of international experts, all of which have concluded unanimously that the FFCDs were incomplete, inadequate and technically flawed and, in their totality, could not be verified. The last of these expert meetings recommended that no further verification assessment of Iraq's current FFCD should be conducted until Iraq committed itself to provide new substantial information.

I ask you to provide us with such new substantial information now. This could commence through the provision of annual and semi-annual activity reports for 1988 through 1991 of the declared facilities involved in the biological weapons programme and indeed for all periods of their involvement in that programme.

I am also inviting you to furnish any other documents, materials or explanations that would enhance the level of verification and to rectify the technical and other inconsistencies in the current FFCD which have been pointed out to your experts on many occasions. In this context, the Government of Iraq may wish to consider whether or not the most expeditious way of proceeding would be for Iraq to provide a substantially revised or new FFCD.

When Iraq's response to this letter is received, whether in the form of a new or substantially revised FFCD, or through the provision of materials, explanations and documents, the Commission's experts will proceed immediately to review and verify what is provided. If necessary, they would furnish me with recommendations on any further steps to be taken, such as: inspections, interviews and search of documents, in order to verify Iraq's disclosure, as soon as possible.

(Signed) Richard BUTLER

Annex III

Letter dated 19 November 1998 from the Executive Chairman of the Special Commission established by the Secretary-General pursuant to paragraph 9 (b) (i) of Security Council resolution 687 (1991) addressed to the Deputy Prime Minister of Iraq

Further to my letters to you of 17 and 18 November 1998, this letter addresses the most important outstanding requests made by the Special Commission in recent months for explanations and clarifications on matters relating to Iraq's proscribed weapons programmes in the chemical weapons and missile areas.

As you will recall, pursuant to the Schedule for Work agreed on 14 June 1998, the Commission carried out a number of inspections, including meetings with Iraqi counterparts, to resolve outstanding disarmament issues outlined in the Schedule.

During these inspections, the Commission's teams made requests for explanations and clarifications from the Iraqi side on subjects under discussion. Some questions remained unresolved as the responses provided were not adequate for the Commission's verification purposes.

Due to the decision taken by Iraq on 5 August 1998, the Commission's activities in the disarmament area were halted. The Commission has never received responses from Iraq to its requests.

The Commission would appreciate receiving now, the explanations, clarifications and other responses it has sought from Iraq on the most important outstanding issues listed in the Schedule for Work dated 14 June 1998. For ease of reference, the Commission's requests are outlined in the attached annex. The annex also includes two additional requests originating from the meeting of international experts on the chemical warfare agent VX, held in New York in October 1998.

If this information is provided in full, it should assist the Commission considerably in its determination to resolve outstanding disarmament issues as quickly as possible.

(S-4884) Richard BUTLER

Enclosure

1. Clarifications on the disposition of unaccounted for 155-mm shells filled with mustard, including the sites where the shells were disposed of and explanations on the relevant events (referred to in the Schedule for Work of 14 June 1998).
2. Full report on the chemical analysis of the samples from the special missile warhead fragments taken by Iraq in July 1998 (promised by Iraq to the UNSCOM 246 inspection team in July 1998).
3. Requests by the October 1998 meeting of international experts on the chemical warfare agent VX (S/1998/995):
 - (a) Technical explanations on the origin and history of the special missile warhead fragments sampled by the Commission and analysed by French, Swiss and United States laboratories, and on the presence of degradation products of nerve agents and VX stabilizer in the samples;
 - (b) Additional information on Iraq's efforts to develop and produce VX through improved synthetic routes, during the period from mid-1988 through the beginning of 1991.
4. Explanations, clarifications and data requested by the UNSCOM 252 inspection team (July 1998) related to the accounting of proscribed missile warheads (special and conventional):
 - (a) Detailed description of methods and timing of the unilateral destruction of special warheads in the P3 area in Nibae;
 - (b) Explanations of decisions and actions undertaken to collect remnants of special warheads for presentation to an UNSCOM inspection team in April 1992;
 - (c) Precise identification of pit locations of the special warheads storage in the Tigris canal site and the Fallujah Forest site in a period starting 1 March 1991 until the removal of the warheads from these hide sites to the unilateral destruction locations;
 - (d) Explanations of why no remnants from some 50 warheads (both imported and indigenously produced) declared as unilaterally destroyed, were not recovered at the declared sites of their destruction;
 - (e) Updated material balance of missile warheads.
5. Request by the UNSCOM 242 inspection team (July-August 1998) related to indigenous production of engines for proscribed missiles:
 - (a) Removal for analysis of a number of missile engine components produced indigenously;

/...

(b) Explanation of the timing of importation of complete missile engine turbo pumps and their use in missile/engine tests.

6. A description of the investigation and termination of concealment after 1995.

Annex IV

Letter dated 20 November 1998 from the Executive Chairman of the Special Commission established by the Secretary-General pursuant to paragraph 9 (b) (i) of Security Council resolution 687 (1991) addressed to the Deputy Prime Minister of Iraq

I wish to acknowledge receipt of Dr. Riyadh Al-Qaysi's letter of 19 November responding to mine of 18 November, addressed to you, dealing with the biological weapons issue.

I am fully aware of the confidence placed by the Government of Iraq in the comprehensive review which the Security Council intends to conduct subject to Iraq's resumption of full and unconditional cooperation with UNSCOM and the IAEA in accordance with the relevant resolutions of the Security Council and the Memorandum of Understanding signed on 23 February 1998. I too hope that such a comprehensive review might accelerate progress towards the completion of UNSCOM's disarmament tasks.

In order for this to occur, as you know, the Council has decided that Iraq must demonstrate that it is prepared to fulfil all its obligations, including in particular on disarmament issues, by resuming full cooperation with the Special Commission and the IAEA.

It was to facilitate this process that I wrote to you on 18 November. The materials I sought were designed to clear away as many outstanding issues as possible prior to a comprehensive review and, of course, provide an opportunity to Iraq to demonstrate the full cooperation required to enable that review to begin.

In this light, I hope you might find it possible to see that a constructive reply to my letter of 18 November is prepared and forwarded as soon as possible.

Finally, I am forwarding you with this letter a copy of a letter I sent today to the President of the Security Council. I believe it is important for full dialogue between UNSCOM and Iraq to be maintained.

(Signed) Richard BUTLER

Annex V

[Original: Arabic]

Letter dated 19 November 1998 from the Permanent
Representative of Iraq to the United Nations
addressed to the Executive Chairman of the Special
Commission established by the Secretary-General
pursuant to paragraph 9 (b) (i) of Security Council
resolution 687 (1991)

I have the honour to transmit to you herewith a letter dated
19 November 1998 from Mr. Riyadh Al-Qaysi, Minister of State at the Ministry of
Foreign Affairs, in response to your letter dated 18 November 1998.

(Signed) Nizar HAMDOON
Ambassador
Permanent Representative

/...

Enclosure

Letter dated 19 November 1998 from the Minister of State at the Ministry of Foreign Affairs of Iraq addressed to the Executive Chairman of the Special Commission established by the Secretary-General pursuant to paragraph 9 (b) (i) of Security Council resolution 687 (1991)

With reference to your letter dated 17 November 1998 addressed to the Deputy Prime Minister, I should like to point out the following.

The prevailing trend of the deliberations of the Security Council and the positions resulting therefrom have been to commence with a comprehensive review shortly after the resumption by the Special Commission of its activities in Iraq.

That prevailing trend also implies that the Commission will submit reports on what has been achieved in the field of disarmament with respect to missiles, chemical weapons and biological weapons up to the last meeting between you and the Deputy Prime Minister on 3 August 1998; in other words, succinct reports summarizing the work done by the Commission from April 1991 to August 1998 (seven years and four months, which is a very long period). It would be for the Security Council to adjudicate on the outstanding issues that had to be followed up.

It seems to me that the approach adopted in your letter runs entirely counter to the trend approved by the Security Council.

However, in the annex to this letter we shall clarify our position on the requests made in your letter. From the clarifications set forth in the annex to my letter it is evident that the requests made in your letter fall into two categories. The first category concerns supposed documents which do not exist, and the second comprises a repetition of earlier requests in respect of which we have already submitted truthful clarifications which are all that is available. It also appears that those requests have no direct connection with the disarmament requirements under section C of resolution 687 (1991) which have been carried out.

As for what you say at the end of your letter about giving the Commission free access to the archives of the Ministry of Defence, the Military Industrialization Corporation (MIC) and other government departments, I should like to point out that the Commission carried out a series of inspections of the two buildings of the Ministry of Defence in March 1998, and that, during the inspections, there was a clear emphasis on documents. Moreover, inspections were made of the Security Organization of MIC in June and December 1997, of the Air Force headquarters in July 1998, and of the Security Departments (the Special Security Apparatus, four times in 1997-1998; Military Intelligence, twice in 1997; the Directorate-General of Security, four times in 1997-1998; and the Iraqi Intelligence Service, eight times in 1997), all of which were intrusive inspections which took many hours and were carried out without hindrance, great emphasis being made during them on documents. The inspection

/...

team found nothing contrary to Iraq's statements. Accordingly, the request you are now making, which is of a general nature, seems to us to be provocative rather than professional.

We hope that the Commission will abandon this unprofessional approach the effect of which has been, and will be, to drag out the work without justification and consequently to perpetuate the inequitable embargo on the people of Iraq.

(Signed) Riyadh AL-QAYSI

EnclosureClarifications

1. With regard to the so-called "air force document" our thorough investigations on the origin of the supposed document indicate that it is merely a handwritten paper containing a compilation of figures concerning munitions expended in the years 1983-1988 made by a non-commissioned officer for his own use at that time, specifically for the purpose of monitoring inventories of munitions at various stores.

Activities during that period fall outside the mandate of the Special Commission under resolution 687 (1991). That was also the understanding of the former Executive Chairman (see para. 6(b) of document S/26571, dated 12 October 1993). If the Executive Commission still wishes that document to be handed over for the purposes of any question relating to special munitions, we wish to recall in that connection the provisions of paragraph 5 of the Memorandum of Understanding of 23 February 1998 which requires procedures hitherto established to be followed. One of the established procedures, as you know, is the Joint Programme of Action of 22 June 1996 which contains an undertaking by the parties to work in a transparent manner and to share information. On that basis, Iraq is fully prepared to consider, with an expert team of the Special Commission, the contents of the relevant portions of the paper under consideration in a fully transparent manner in the presence of the Personal Representative of the Secretary-General. We are confident that this mechanism will enable us to resolve this issue and allay the concerns of the Special Commission.

2. With respect to what have been called high-level decision papers, this subject was one of the seven remaining issues identified by the Special Commission early in 1997. The matter was addressed on numerous occasions in 1997 through exchanges of letters which, in our opinion, concluded the issue to the Special Commission's satisfaction. We refer to our letters 2/1/D/142 dated 17 November 1997, 2/1/C/196 dated 5 April 1997, and 2/1/C/234 dated 14 May 1997. Since then the matter has not been raised by any team of the Special Commission or during the periodic high-level meetings. Finally, this question was not referred to among the pending issues during the high-level meeting of June 1998 which identified the remaining issues for future joint work.

3. With regard to the production records for agent VX for 1990, no such records exist. As we have repeatedly explained to the chemical team, the attempt to produce VX in April 1990 was not successful and therefore it did not appear in the annual production report or in the inventory of materials produced during 1990. All the relevant documents on production activity for 1990 and the inventory of materials at the end of 1990 have been handed over to the Special Commission.

4. Concerning the personal diary of the missile force officer, the Iraqi side presented the entire contents of the diary to UNSCOM 133. The Chief Inspector requested that certain pages which contained relevant information should be photocopied. That was done, and the diary was returned to Brigadier Ismail. More than a year later, the Special Commission asked for the diary to be handed

/...

over. Brigadier Ismail was asked about it and it turned out that the diary had been destroyed by him along with some personal papers for which he considered there was no further need; those details were explained to the Special Commission.

5. With regard to the memoirs of Lieutenant-General Hazem Abd al-Razzaq, when he was asked about his recently published memoirs he stated that when he was ordered to destroy the documents relating to the former programme at the end of 1991, he took notes from the documents for use in writing his memoirs and then destroyed them. This was mentioned on page 11 of the introduction to the memoirs.

6. The document concerning the creation of missile brigade 233 was handed over to the Special Commission with the letter from the National Monitoring Directorate dated 11 August 1997. With respect to the arming of the brigade, this is the first time that the Special Commission has asked for such documents in that manner. However, we are ready to submit the documents requested and hope that they will meet the request.

7. Regarding the personal diary of engineer Muqdam, in the light of the request from the team responsible for the indigenous production of engines to verify the level of technical know-how in this field, we asked our specialists to search for any documents on this point in their possession. Engineer Muqdam handed over to us several pages cut out of his personal diary in which he had recorded detailed information relating to the period from November to December 1990 which illustrated the technical problems encountered by the working group with respect to experimental prototypes. Those problems confirmed beyond any doubt that the prototypes did not satisfy the technical requirements at that time and were not up to production standard. Engineer Muqdam stated that he had subsequently destroyed his personal papers.

8. As for the consumption diaries for the propellant, the Iraqi side provided all the documents at its disposal concerning the destruction of propellant in 1991. We made a great effort to search for the diaries, but it appears that they were among the documents that were destroyed.

9. As regards the May 1991 inventory, no such inventory was made and no such document exists.

10. Regarding the destruction orders, Deputy Prime Minister Tariq Aziz explained to the present and to the former Executive Chairman on more than one occasion that it was he that took the decision and communicated it orally to the competent authorities for implementation.

11. No official inquiry was conducted regarding the defection of Hussain Kamal.

12. With respect to the request for the minutes of committee meetings, we point out that this is the first time this has been requested by the Special Commission. However, the International Atomic Energy Agency made such a request in the past and we explained at the time that there was no such committee in the technical sense of the term.

Annex VI

[Original: Arabic]

Letter dated 19 November 1998 from the Permanent Representative of Iraq to the United Nations addressed to the Executive Chairman of the Special Commission established by the Secretary-General pursuant to paragraph 9 (b) (i) of Security Council resolution 687 (1991)

I have the honour to transmit to you herewith a letter dated 19 November 1998 from Mr. Riyadh Al-Qaysi, Minister of State at the Ministry of Foreign Affairs, in response to your letter dated 18 November 1998.

(Signed) Nizar HAMDOON
Ambassador
Permanent Representative

Enclosure

Letter dated 19 November 1998 from the Minister of State at the Ministry of Foreign Affairs of Iraq addressed to the Executive Chairman of the Special Commission established by the Secretary-General pursuant to paragraph 9 (b) (i) of Security Council resolution 687 (1991)

I refer to your letter dated 18 November 1998 addressed to the Deputy Prime Minister.

I wish to point out that the request contained in that letter was that the Iraqi side should provide substantial new information on the biological file by furnishing documents, materials or explanations to enhance the verification of the Iraqi declaration in the biological field. The letter suggests that the most expeditious means of resolving the problem, from your point of view, would be for Iraq to submit a statement containing extensive amendments or to submit a new declaration. This request substantially widens the outstanding work to be done in the biological file. It is also at variance with the prevailing trend in the Security Council to carry out a comprehensive review concentrating on the assessment of what has been accomplished in the various files, including the biological file, in the area of disarmament from the beginning of the Special Commission's work in April 1991 up to August 1998.

The conclusions that will be reached in the comprehensive review will determine whether the disarmament phase has been completed, or whether steps in the biological file need to be taken to fulfil the requirements of the disarmament phase.

The timing of this request during the period of preparation for the comprehensive review is a matter for surprise and raises questions with regard to the position of the Special Commission with respect to the comprehensive review and its objectives.

(Signed) Riyadh AL-QAYSI



Security Council

Distr.
GENERALS/1998/1107
20 November 1998

ORIGINAL: ENGLISH

LETTER DATED 20 NOVEMBER 1998 FROM THE PERMANENT REPRESENTATIVE
OF DJIBOUTI TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF
THE SECURITY COUNCIL

The statement by the Ministry of Foreign Affairs of the State of Eritrea on 19 November 1998 (S/1998/1097), in reaction to Djibouti's decision to sever diplomatic ties, is nothing more than a litany of lies and deception.

(a) It is totally erroneous and a sheer lie for Eritrea to say that it has repeatedly expressed its concern to us. We have not had a single communication from Eritrea concerning the so-called "unwarranted cooperation" of Djibouti with Ethiopia in its war efforts against Eritrea.

Perhaps the only occasion upon which there was an attempt by Eritrea to communicate anything to us was last September during the visit of Eritrea's Minister for Foreign Affairs to Djibouti. The issue presented to us then centred only on Djibouti's neutrality in the efforts of the High-level Committee of the Organization of African Unity (OAU). The Government right away rejected unhelpful innuendos and unfounded allegations. Now the allegations we hear go beyond that and are all-embracing. According to a spokesman in Eritrea, Djibouti has become a party to the conflict by supporting the Ethiopian war effort through providing facilities and services to the Ethiopian army. Sheer nonsense!

(b) Our President, true to his belief in tolerance and statesmanship, deemed it inappropriate to personally react to the direct confrontation by the President of Eritrea during the meeting of the OAU High-level Committee in Ouagadougou. His silence was not an admission of anything whatsoever. He simply felt it would be proper for his peers to reply to the unfortunate and ill-timed charges. Civility costs nothing and buys everything!

(c) But, one may ask, "what constitutes unwarranted cooperation"? It must be clearly understood, at the outset, that the port of Djibouti was constructed at the turn of this century essentially for the purpose of providing Ethiopia with access to the sea. Such was the case well before the Eritrean ports became available and usable for modern Ethiopia's needs.

Regardless of the percentage of usage by Ethiopia, the port of Djibouti has always retained a significant portion of Ethiopia's external trade. It was so



historically and it remains Ethiopia's natural port. It is unthinkable, therefore, for Eritrea to question this historical link today because of its conflict with Ethiopia. Let us be clear here: we are not aware of any United Nations sanctions imposed on the parties to the conflict, and further, Eritrea enjoys a full and unfettered use of its ports for whatever reason. This is a fact that must be underscored and we are not in any way trying to justify anything here.

From its inception as a separate and independent State, Eritrea's attitude towards external relations with its neighbours has been notable chiefly for its arrogance and scepticism. Throughout the Horn of Africa the consequences have been antipathy and estrangement, if not confrontation, reinforced by Eritrea's transparent disdain and condescension. There has been little sense of seriousness and appreciation on the part of Eritrea for the benefits to be derived from normal, constructive and mutually productive relations.

Djibouti is not under any illusion as to the underlying motive for Eritrea's hostile posture. In view of its strained relations with Eritrea, Ethiopia has substantially augmented her use of our facilities. That is natural. But Eritrea is unreasonably bitter about it. Consequently, Eritrea has elected to brand Djibouti a scapegoat in her troubles with Ethiopia. While it is true that our relations with Ethiopia are excellent, this is also true of our relations with all countries, and Djibouti should not be unfairly caricatured and made the object of threats and blackmail. We don't deserve that.

Provocations by Eritrea are many, but just to name a few:

- Our forces were fired upon after incursions into our territory by Eritrean troops in April 1996.
- This activity was preceded by the publication of a new Eritrean map incorporating portions of our territory.

Djibouti felt compelled to alert the international community of this unbecoming behaviour and the matter was brought to the attention of the Security Council.

- In the last few weeks we witnessed a number of visible signs that Eritrea is continuously amassing troops and excessive war matériel along our common border, and we have even heard of an incursion currently under way, the details of which are still sketchy.
- About two weeks ago, a fleet of trucks ferrying goods between Ethiopia and Eritrea was blatantly attacked, resulting in loss of lives and property.
- Djibouti does not discount the possibility that patronage is being extended to disgruntled individuals to cause havoc in parts of the country and to cripple the flow of traffic between Djibouti and Ethiopia.

We have tolerated Eritrea's excesses for too long. The intolerable affront to our President at Ouagadougou was the last straw. We regard the situation with extreme gravity. Bluntly, what we are witnessing is simply the prelude to war by Eritrea against yet another neighbour, this time Djibouti!! Eritrea seems determined to widen the circle of the conflict. To accuse Djibouti of "becoming a party to the conflict" is an obvious deception, a smokescreen meant to hide from us Eritrea's true aim - to cripple and paralyse the normal flow of traffic in goods and services between Djibouti and Ethiopia.

We hope that the international community will not view the impending danger we face lightly, and will immediately institute the necessary preventive measures.

We believe the kind of ruthless diplomacy in progress would only exacerbate tension and hostilities and add many difficult years to the task of returning the Horn once again to a region of peace and trust. As my President stated in his address to the General Assembly in September: "We (in the Horn region) need a new vision, new politics and a far-sighted approach to deal with our bilateral differences". Our region has been bleeding for too long: it is crying for sanity, peace, democracy and development.

These are the real challenges, therefore, that require urgent attention from the leaders of the region and not short-term obsessions with brinkmanship.

Djibouti will continue to maintain moderation, neutrality, and cooperation, while at the same time protecting its territorial integrity and ensuring the security of its citizens.

I should be grateful if you would circulate this letter as a document of the Security Council.

(Signed) Roble OLHAYE
Permanent Representative



Security Council

Distr.
GENERAL

S/1998/1108
23 November 1998
ENGLISH
ORIGINAL: ARABIC/ENGLISH

LETTER DATED 23 NOVEMBER 1998 FROM THE PERMANENT REPRESENTATIVE
OF IRAQ TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE
SECURITY COUNCIL

On instructions from my Government, I enclose herewith a letter dated 22 November 1998, from Mr. Tariq Aziz, Deputy Prime Minister of the Republic of Iraq stating Iraq's position vis-à-vis the issues raised by the Chairman of the Special Commission in the letter dated 20 November 1998 which he addressed to you.

I should appreciate it if you would have my letter and its annex circulated as a document of the Security Council.

(Signed) Nizar HAMDOON
Ambassador
Permanent Representative



Annex

[Original: English]

Letter dated 22 November 1998 from the Deputy Prime Minister
of Iraq addressed to the President of the Security Council

We received three letters from the Executive Chairman of UNSCOM on 17, 18, 19 November 1998. We responded to the first two. The third letter was received Friday morning, and while we were preparing our response to it on Saturday we learned about the Executive Chairman's letter of 20 November addressed to Your Excellency, which seemed to have created confusion. Consequently, in view of the circumstances, it became necessary to address a detailed response to this last letter while our response to the Executive Chairman's third letter is under preparation.

Introductory Remarks

The Executive Chairman contends that the purpose of his letter to you was to "generally increase the level of verification" with respect to disarmament issues and related matters of concealment activities by Iraq. According to his letter, he judged appropriate to seek this information "now" in the light of Iraq's undertaking of 14 November. The Executive Chairman engages further in what he termed "analysis and commentary" to place his own interpretation that Iraq is not cooperating with UNSCOM.

The first point made by the Executive Chairman in this vein is that Iraq contends in its replies that preparations for the comprehensive review "has already commenced". The Chairman thought that that was what he called "the underlying contention of Iraq's two replies." This in fact is presumptuous.

Our letter on 19 November responding to the Executive Chairman's letter of 17 November, which related to requests for documents, made a reference to the prevailing trend in the deliberations of the Council since 6 August 1998, which is not illusory. But, our response did not leave the matter at that. It included a clarification of our position on the requests made by UNSCOM in an Annex. Incidentally, I shall deal with the Executive Chairman's comments on those clarifications below.

The Question of the Biological File

As for our response to the Executive Chairman's letter of 18 November, which related to the question of biological weapons, our response again referred to the prevailing trend in the Security Council in regard to the comprehensive review. But judging by the past work done in this area with UNSCOM, which shows in no uncertain terms that no meeting of mind is possible, given the gulf between the respective positions and the different approaches adopted, we concluded that the requests of the Executive Chairman are impossible to satisfy. Let me elaborate on this point so that no doubt will remain in the minds of the members of the Council.

The Executive Chairman sought in his letter of 18 November a "substantially revised or new FFCD" on the ground that "in the last 18 months, Iraq's full, final and complete disclosures (FFCDs) in the biological weapons area have been reviewed by four groups of international experts, all of which have concluded unanimously that the FFCDs were incomplete, inadequate and technically flawed and, in their totality, could not be verified. The last of these expert meetings recommended that no further verification assessment of Iraq's current FFCD should be conducted until Iraq committed itself to provide new substantial information."

Iraq submitted the FFCD on the biological area in June 1996 after a series of meetings with the UNSCOM biological team which began in July 1995 until 22 June 1996. During that period, draft accounts were submitted to UNSCOM for comments, which were duly made and taken

into consideration to make sure that the FFCD would be acceptable in its final form. UNSCOM then undertook a series of verification measures through interviews and scores of inspections. The chief inspector at the time (UNSCOM - 157) expressed confidence that the verification measures may take from 6 to 9 months unless a political decision is taken to close the biological file earlier.

However, in April 1997, UNSCOM stated that the biological weapons FFCD was not credible.

The former Executive Chairman Ekeus then suggested that Iraq may consider restructuring the FFCD, in spite of Iraq's protestations that the essential elements of Iraq's FFCD, namely production, weaponization, and unilateral destruction, cannot be changed, as their account is truthful and important milestones are evidenced by a number of documents.

Nevertheless, Iraq did revise the FFCD and re-presented it in September 1997. This was in response to the Executive Chairman Ekeus advice, as Iraq perceived that UNSCOM extremist judgement of the June 1996 that the FFCD is "not credible" cannot be changed by Iraq's insistence that Iraq had nothing to add.

UNSCOM assembled a team of international experts late in September 1997 and reviewed the 700 pages FFCD and judged it deficient, inaccurate etc. However, some comments by the experts were noteworthy, such as:

- In 1990 the programme was immature and still in the process of further planned expansion and development.
- The experts also recommended that UNSCOM should inform Iraq:
 - What aspects of the BW programme are not covered in the FFCD?
 - What inaccuracies does it contain?

During March 20-27, Technical Evaluation Meetings were held in Vienna. The TEM was attended by 18 experts from 14 countries of whom only 4 or 5 were new. They have been briefly exposed in New York and Vienna to masses of documents and materials originating from Iraq's draft declarations and two formal FFCD's for which there was insufficient time to study and to formulate a conclusion therefrom. Therefore, members of the TEM adopted the readymade opinions and comments and the numerous questions prepared by the old group and confronted the Iraqi side with that. Thus, the Iraqi team spent considerable time responding to questions many of which were irrelevant, insignificant or already settled and verified through visits, tests, inspections and analyses, discussions and interviews over the past 30 months of work with UNSCOM. The team's evaluation report was full of generalities containing nothing specific in the way of contradicting evidence. It failed to reflect Iraq's point of view in anyway and did not include Iraq's response delivered to the TEM in the final session.

Then the Executive Chairman suggested in June 1998 that perhaps another gathering of international experts should meet in Baghdad to consider the Iraq's September 1997 FFCD from "the top of the pyramid down" beginning with weaponization and ending with production and material accounting. The meetings which took place in Baghdad (17-23 July 1998) resulted in the following:

- * At the top level the overall assessment is that Iraq's account of its biological weapon's programme is not a verifiable account.
- * At the next level, on the matters considered by the experts, the material balance accounts as set out in the FFCD for weapons, bulk agent and media are also not verifiable.

However, Iraq suggested that in the areas where Iraq's account is deemed unverifiable the experts could consider the present viability of agents and weapons produced in 1990 from the scientific and technical angle. This suggestion the experts declined to follow and stated that their terms of reference from UNSCOM is to consider whether Iraq's account was verifiable or not. The example which the experts sighted as satisfactory for verification was the Al Hakam dual use equipment which were declared by Iraq as having been utilized in the production and were subsequently destroyed by UNSCOM in 1997. The Iraqi side pointed out that the agents and munitions were unilaterally destroyed in 1991 prior to UNSCOM arrival, and, thus, there was only remnants and traces of the munitions and agents destroyed, and, therefore, the physical evidence of their existence is not the same as the equipment. Consequently, the verification measures had to take that fact into account and more imaginative methods should be adopted. Some such measures were taken in some cases by competent inspectors which proved Iraq's declaration but are consistently ignored in UNSCOM's headquarters when reports are prepared and submitted to the Council.

However, it is noteworthy that the international experts' opinion this time did not report that Iraq's FFCD was flawed or deficient. Their comments concentrated on verifiability. It is curious that many important aspects from the disarmament perspective are ignored in the overall assessment of the biological weapons programme.

The following examples illustrate our point :

* On many occasions, the inspection team stated that the verification of R-400 aerial bombs is going well. Moreover, finding the debris of the destroyed bombs was considered by the inspectors very important in the verification process and it was the physical evidence of destruction as confirmed by UNSCOM-173 Chief Inspector. In addition, UNSCOM took many samples from the destruction remnants to analyze them, and the results correlated with Iraq's declaration. The Chief Inspector of UNSCOM-187

declared that the results will help the Special Commission to understand the past biological program and will assist the verification process. Finally, the Special Commission sent a verification team (UNSCOM-197) in aerial bombs destruction field which declared that the commission achieved a lot in destroying and burying their remnants. Accordingly, if UNSCOM has not been able to verify this issue as it has claimed recently, why did UNSCOM destroy the bombs and bury their remnants as a final stage of verifying this issue?

* The Special Commission acknowledge the accounting for and the verification of missile special warheads as follows :

- UNSCOM presentation to the Security Council on 3 June 1998 stated :
" As to the special warheads, nearly ALL declared special warheads have been accounted for "
- The Executive Chairman's letter to the Minister of Oil dated 13 July 1998 stated : " Iraq declared that 45 special warheads had been destroyed unilaterally in July 1991. The assessment of the warhead remnants excavated since August 1997 allows for the identification of 43-45 special warheads coming from the sites of the unilateral destruction. The level has been reached by the identification of warhead noses of special warheads. This finding has been in essence confirmed through the identification of other types of warheads components, in particular, type of special containers . This is the most important result in the joint effort to establish the material balance of proscribed warheads . "

- UNSCOM's October 1998 report (Doc. S/1998/ 920 Para. 25 at Page 9) stated : " The Commission was able to account for the destruction of between 43 to 45 operational special warheads declared by Iraq as having been unilaterally destroyed in 1991. This constituted a major accomplishment ."

* A video tape handed over to UNSCOM which clarified the remaining numbers of empties of aerial bombs which were not filled and destroyed under UNSCOM's supervision. The said tape confirmed the credibility of the information supplied by the Iraqi side on the material balance of R-400 aerial bombs.

* The conclusions given in UNSCOM 231 report stated : " over the past four days we have investigated four issues concerning biological activity undertaken in Iraq in the period 1991 to 1995, the acquisition of fermenters at Al Hakam , repair and provision of spray dryers by the Al Karama Factory , the acquisition of Single Cell Protein Plant and components from Russia , and the Laboratory Equipment Factory at Beiji. No evidence of activity contrary to Security Council Resolution 687 or 715 was found. This is an inspection which should be satisfactory for both sides."

Iraq stated on several occasions that there are no biological weapons on Iraq's territory since July 1991 and UNSCOM has found nothing contrary to Iraq's declaration and the disarmament task has been fully implemented as far as agent and munitions are concerned since July 1991 and as far as sites equipment , and materials was fully implemented in 1997. Furthermore, the ongoing monitoring in the biological weapons area established since 1994 has not recorded a single violation by Iraq of Security Council Resolution 687 (1991).

The most important fact to remember in this connection is that nothing proscribed was found by UNSCOM over the period from Aug. 1995 up to the present which contradicts Iraq's declaration as a result of thousands of visits and inspections to sites declared by Iraq or designated by UNSCOM for inspections.

Despite this background which is well known to the Executive Chairman, he goes on in his letter to you to conclude on the basis on an assumption that: " Iraq's reply seems to indicate that it is not prepared to do any further disarmament work with the Commission in the biological weapons area, unless required to do so by the Security Council, following

a comprehensive review." This in fact is not true. To begin with it is not in the interest of Iraq not to conclude the work in the biological file. Secondly, given the situation as it is between Iraq and UNSCOM on the question, Iraq has no other option than to rely on the Security Council for resolving the issues involved in the light of the concrete facts that should be well known by now. It is inconceivable that Iraq will not cooperate in resolving outstanding issues in this field when the Council will have the occasion to define according to the modalities of the comprehensive review precisely that. This point is clear from the concept paper of the Secretary General of 5 October and the Letter of the Council of 30 November.

Access to Archives

On the question of UNSCOM's request to have "access to the relevant archives" of the Ministry of Defence, the Military Industrialization Corporation and other Government Departments, the letter of the Executive Chairman stated that our reply "avoids the question as put and does not undertake that such access will be granted." This accusation is unfounded. It is abundantly clear from our response that we stated the number of times those sites were inspected by UNSCOM teams with an emphasis on archives. Those archives were in fact inspected in accordance with the Modalities for Inspecting Sensitive Sites agreed upon between UNSCOM and Iraq on 22 June 1996 as revised by the two sides in December 1997. In regard to the Ministry of Defence, the inspections not only covered the headquarters of the said Ministry but also all the 27 main branches and directorates thereof. The same also took place in regard to the headquarters of the Military Industrialization Corporation, and all its affiliated establishments. As is well known, these entities are inspected on a continuous basis and are subjected to the monitoring regime of the Commission. The same inspections were conducted in the other Government Departments as we indicated in our reply.

It is very important to remember, and as we indicated in our reply, that the central activity of all these inspections was to have access to the archives of the sites inspected. All this was done without hindrance.

But it is also important to remember that the letter of the Executive Chairman is seeking something else. His letter stated: "Sight should also not be lost of the fact that Iraq has an obligation under the resolutions of the Council to make available to the Commission any document which in the Commission's view is relevant to its mandate. Full access, full

/...

disclosure by Iraq would be of immense assistance. That is why it was asked for such an access, generically." To begin with, Iraq has not failed to meet this obligation. Iraq has provided UNSCOM with 1760 documents comprising 8020 pages covering the three files and 4 video films. This is in addition to the Hayder farm documents which amounted to 680000 pages of documents as well as a large number of video and micro films. Despite that, however, the implications of the statement quoted above means that Iraq is under an obligation to provide any requested document whether it exists or otherwise. This position on the part of the Executive Chairman is a quest for attaining the impossible. The letter of the Executive Chairman does not leave the matter at that. It goes on to state:

" Finally, it should be noted in this context, that Iraq's response does not seek to assert that the relevant archives do not exist." This statement seems to imply that Iraq is concealing relevant documents while it is obviously true that if such documents were in Iraq's possession, Iraq would not have failed to provide them since this will be in its best interest. But it seems that the underlying reason for the overemphasis placed by the Executive Chairman on this issue is the desire to having an endless game to show Iraq at fault. It should be remembered that the account of the events and steps taken in Iraq which resulted in the destruction of documentation relating to Iraq's programmes, was discussed with and explained to the former Executive Chairman in 1994. The Chairman wrote on 5 February 1994 a letter to us stating that the information appeared comprehensive and sufficient for the purposes of the Special Commission. (Letter attached). We leave it to the members of the Council to compare the two approaches adopted by the former and the latter Executive Chairmen on the same issue.

Comments on the Specific Comments made by the Letter of the Executive Chairman on Iraq's Clarifications

I come now to deal with the comments made by the Executive Chairman in his letter to you following the same enumeration contained therein.

1. While we stand by the description of the required paper as stated in the Clarifications annexed to our letter of 19 November, we should like to point out that the Executive Chairman claims that the so-called Air Force document will enable UNSCOM " to verify and to account credibly for all proscribed weapons which remained in Iraq after the Gulf War " as "the Commission has to know the total holdings of Iraq's chemical weapons

and their disposition prior to the adoption of resolution 687(1991)". This argument can be refuted by the following reasons :

1.1. The paper does not provide any details of the chemical munitions expenditure other than the total quantity per year of two types of munitions calibres without any indication of the type of the chemical agent filled. Therefore, there is no useful information to be gained for material balance purposes.

1.2. The total expenditure of munition does not necessarily equal the total quantity produced. Allowance has to be made for rejects, leakages and discarded batches as is well known in manufacturing practice.

1.3. Only a rough idea of the empty munition accounting can be obtained from the papers as the bulk chemical filling is not identified.

1.4. Most importantly, the total holdings of Iraq's chemical weapons prior to the adoption of Security Council resolution 687 (1991) is given in full details at the end of the 1990 inventory of the Muthanna State Establishment for:

- all types of empty and filled munitions.
- all quantities of bulk agents produced remaining unfilled.
- all chemical precursors.
- all other items and assets normally stored at the establishment.

In this connection, we would like to recall what we stated in the pertinent part of the clarifications annexed to our letter of 19 November 1998 , which read as follows: " Should UNSCOM still require the handing over of the paper relating to any question regarding the material balance of special munition, we should like to recall in this connection the provisions of paragraph 5 of the MOU of 23 February 1998, which calls for following the procedures hitherto established. One of the established procedures, as you know, is the Joint Programme of Action of 22 June 1996, which provided the undertaking of the parties to work in transparency and sharing information. On that basis, Iraq is ready fully to consider with an expert team of UNSCOM the contents of the relevant portions of the paper under consideration in full transparency in the presence of the Personal Representative of the Secretary General. We are confident that, through this mechanism, we could resolve this issue and allay the concerns of UNSCOM."

/...

2. As for the document which UNSCOM refers to as the "Reply of the Muthanna State Establishment on the recommendations of the Ministry of Defence on actions concerning the development of chemical weapons", Iraq made all the facts concerning this question quite clear, including the final instructions issued by the higher authorities on the basis of all the considerations and replies of all the authorities addressed. More importantly Iraq provided UNSCOM with plans reports and actions taken by Muthanna State Establishment at the end of 1988, 1989 and 1990 in the form of original documents and reports signed by the Director General of Muthanna State Establishment. These included :

- The annual report document of Muthanna State Establishment in 1988 addressed to the Military Industrialization Corporation in January 1989 (42 pages).
- A report concerning Muthanna State Establishment activities for the first half of 1989 (14 pages).
- Muthanna State Establishment activities follow-up report in 1990 addressed to the senior Deputy of the Military Industrialization Corporation (5 pages).
- Inventory list of the produced materials of Muthanna State Establishment up to 31/12/1990 (1 page).
- Inventory list of raw chemicals stored at Muthanna State Establishment up to 25 December 1990 (7 pages)

One is left to wonder as to why UNSCOM keeps repeating the same request for the reply which has been given repeatedly, namely that the document requested is lost.

3. Regarding the request to hand over documents and records on the status of the production of Vx, Iraq provided UNSCOM with documents covering the production activities of agents and munitions at Muthanna State Establishment dated December 1990 and January 1991 in which Vx is not mentioned as it was not successfully produced, and, therefore, it follows not weaponized. This fact is inexplicably ignored and the demand for records for the failed production attempt is repeatedly asked for and Iraq's answer each time is ignored. Iraq does not only "claim" that it did not successfully produce Vx. In fact, Iraq provided the evidence within reports covering the said period up to January 1991 by virtue of the non existence of the item Vx agent and the non existence of munitions amongst the production status of the establishment for the year 1990 up to 5 January 1991. Moreover, the failure to find traces of Vx degradation products on warheads remnants is another proof of Iraq's position.

4. Iraq has presented a huge amount of documents , which have helped the Special Commission in the verification of missiles, warheads and launchers. In Nov. 1993 the missile verification was accomplished after dispatching a large inspection team consisting of 100 inspectors to Iraq, where the team conducted broad activities during 35 working days, using the most sophisticated equipment and helicopters equipped with ground penetration radar to detect any buried objects. Consequently the Special Commission stated in its semi annual report (S/26910) the following :

"No undeclared prohibited items or activities were identified by UNSCOM-63. UNSCOM-63 discovered no evidence that contradicted the information provided by Iraq or issues related to its mission"

- In February 1994 Iraq submitted the missile diaries which were forensically tested by international labs to prove their authenticity.
- In 1996 the Special Commission concerns were focused on the missiles' unilateral destruction. Three inspection teams have verified the destruction remnants, when in January 1996 the Special Commission indicated only the following pending points in the missile area:
 - * Remnants of (8) engines were not found.
 - * Serial numbers of six missiles supplied by former USSR were not found in the remnants or any consumption diary.
 - * The Special Commission believed that Iraq has dismantled key parts from (30) engines before destruction.
 - * UNSCOM believes that Iraq has substituted fired, training or Iraqi made engines and destroyed them unilaterally in order to retain imported operational engines.
- The above mentioned points were the topic of discussions between both parties , but they were solved after lab analysis of a lot of the remnants in Russian , French and American labs.

The Special Commission recognized in its semi-annual report of 11 October 1997 (Doc. S/1997/ 774 para. 123 page 27) that all the above-mentioned missiles were destroyed proving the credibility of Iraqi declarations and confirming the missiles material balance.

- Concerning the launchers , the report of the Special Commission on 11/10/1997 (document S/1997/774) has confirmed that the launcher account was complete (14 combat launchers).
- Concerning the warheads , Iraq has cooperated with the Special Commission to verify the chemical and the biological special warheads.

After a very hard work in the years 1997 and 1998 the Special Commission made a complete account for the special warheads.

- Brigadier Ismael's personal diary is private , and Iraq did not consider it as one of the state secrets as Mr. Butler claims. The diary does not contain any clear information as the case should be in any official document. Brigadier Ismael used symbols instead of clear information and he used self-invented codes symbolizing the verbal orders that he used to receive from his superiors. He used to write down also his own notes during meetings with his superiors or with his staff. Nobody can understand such notes clearly. Therefore , what is the importance of Brigadier Ismael's personal diary in the face of official documentary evidence and the material evidence which Iraq has presented to prove the material balance of missiles , launchers and warheads. The Special Commission knows very well that the diary does not exist and has been destroyed.

5- What is mentioned above also applies to the request of the Special Commission of Lt. Gen. Hazim's notes. The Executive Chairman's letter justifies requesting such a report on the ground that it contains information related to the material balance of missiles and warheads which as we have seen has been fully accounted for as reported above.

6. Regarding the document for the creation of the missile brigade 223, we stand by our position stated in our letter 19 November 1998.

7. In October 1991 the Iraqi side declared that efforts were exerted in the research and development field to produce the engine indigenously and that some parts and equipment concerning this activity have been imported. In addition attempts were made to produce some parts indigenously.

The Iraqi side clarified in the FFCD which was submitted to the Commission in June 1992 that all the imported or the locally manufactured parts had been unilaterally destroyed. This has been verified by UNSCOM-36.

- In the FFCD draft , which was submitted to the Special Commission in November 1995, Iraq clarified in details the engine manufacturing steps starting from the imported parts and equipment and the attempts to assemble combustion chambers. In addition it explained the technical level of the project in the production stages , the main problems which the

project faced , and the flight or static tests implemented by the project. This has been supported by documents of 2 thousand pages.

- A lot of technical discussions (according to UNSCOM requests) were made concerning production level tests and materials movement up to the unilateral destruction in Summer of 1991 as well as destruction method and conditions. Accordingly, UNSCOM obtained a comprehensive and clear picture. In the light of this UNSCOM destroyed a number of machines it deemed essential for engine production.

The Iraqi side cooperated with UNSCOM in September 1997 by implementing joint excavation efforts to extract the remnants of the indigenously produced engines in order to verify the quantities and types declared by Iraq.

The Iraqi side has also cooperated with UNSCOM-241 in march 1998 to conduct additional verification concerning the unilateral destruction of the parts and materials of indigenously manufactured engine. The team has also conducted site visits and agreed upon collecting the remnants of the destroyed and melted materials for the purpose of weighing them. Samples were taken in order to analyze them , the Iraqi side has facilitated the interviewing of all personnel involved in the destruction of these materials. In addition the Iraqi side provided

detailed explanations and with inventory lists for these materials that have been unilaterally destroyed in order to assist in the verification.

In conformity with the Schedule for Work on Outstanding Disarmament issues agreed upon on 14 June 1998, the Iraqi side provided a comprehensive and detailed presentation for UNSCOM-242 at the end of July 1998 , regarding the technological and technical level achieved by Iraq in the field of the indigenous engine production. The assembling of many experimental combustion chambers and how those chambers did not meet the technical requirements and were not ready for the production stage.

- UNSCOM-242 chief inspector with the accompanying international experts expressed their satisfaction on having obtained all the required information for the verification. In addition to settling the unilateral destruction issue for the project's parts and assemblies through the destruction inventory documents and comparing them with the material evidence of the remnants of the unilateral destruction. Only one minor point remaining was to make certain that the type of the melted blocks is stainless steel.

/...

- Engineer Muqdam was working in the assembly department at the project dealing with the engine production. According to a request addressed by UNSCOM-242 to search for any document which can illustrate the level of the engine production, the result of the search was the submission of 11 pages torn from his personal diary which provided the requested information in details and the team was satisfied with the result. The chief inspector considered the papers as very useful for verification. UNSCOM-242 appreciated this cooperation from the Iraqi side and did not ask for the entire diary to be handed over. Subsequently, engineer Muqdam has disposed of his personal diary as a personal matter.

8. The Special Commission verified the consumption of fuel and oxidizer with a quantity of (2435) tons of oxidizer and (661) tons of fuel , through original consumption diaries totaling (80) documents of about (210) pages.

- The Special Commission supervised the destruction of (52) tons of oxidizer and (20) tons of fuel in July 1991.

- The Special Commission verified the unilateral destruction of fuel and oxidizer implemented in August 1991 (in fact, it was destroyed according to the Special Commission request in August 1991 which verified the destruction in September 1991) with a quantity of (370) tons of oxidizer and (135) tons of fuel by UNSCOM-13.

- The issue of the unilateral destruction of oxidizer and fuel was never raised to the Iraqi side since August 1992 till 1996. The Special Commission raised the issue again under the pretext that it was not able, at that time, to account for the destroyed quantities. The verification was carried out qualitatively, due to the destruction method proposed by the Special Commission itself by mixing the fuel and oxidizer and pouring it on the soil. Due to the hazardous conditions of the fuel and oxidizer tanks UNSCOM-13 did not approach the tanks for further verification and requested the Iraqi side to complete the disposal of the material. UNSCOM-13 and UNSCOM-18 were satisfied when they inspected the site in September and October 1991.

- Since 1991 until 1996 the Special Commission did not ask for supporting documents regarding fuel and oxidizer issue , because the unilateral destruction of fuel and oxidizer had been verified . For that reason the Iraqi side did not search for such documents.

- In November 1996, the Special Commission requested the Iraqi side to hand over several documents including the consumption diaries of the unilateral destruction. The Iraqi side made great efforts to locate the required documents. Regrettably that particular diary could not be found. The Iraqi side has clarified this point many times to the Special Commission since 1996.

- The technical documents of the supplier of the propellant shows that the shelf life does not exceed ten years in the best storing conditions. As the Special Commission knows, the last shipment of fuel has reached the country at the end of 1987 / beginning of 1988. Even if we suppose that amount of fuel has not been destroyed, it would be useless by now due to aging.

- The missile's fuel and oxidizer are dual use and not prohibited. Iraq is permitted to manufacture missiles with a range less than 150 Km according to SCR 687, therefore Iraq can use missile propellant. Iraq could either manufacture or import such propellant in the future.

9. We stand by the position expressed in the clarifications annex attached to our letter of 19 November 1998.

10. The fact that unilateral destruction was implemented depending on verbal orders has been explained to the very details for many inspection teams. Iraq has submitted a lot of documents which enabled the Special Commission to verify the unilateral destruction, for missiles, chemical and biological weapons. So, since the destruction orders were verbal, there are no existing documents on this point. However, Iraq has presented full documents on the unilateral destruction of missiles and launchers (military destruction diaries). Iraq has also submitted documents on the destruction of special warheads and aerial bombs filled with chemical and biological agents. Moreover, in some documents there are indications that destruction took place according to verbal orders.

11- The Iraqi authorities announced officially that it did not hold any investigation concerning the defection of Hussein Kamil. The Special Commission was informed after the defection that he had ordered some of his staff who were working in the past program not to declare certain items, though these items were unilaterally destroyed. Accordingly, the Iraqi authorities ordered all the past programmes staff to present all the information which Hussein Kamil forced them to conceal from the Special Commission. That was what actually took place. At the end of 1995 and in 1996 Iraq rendered all the assistance required to hold interrogation interviews with all the individuals who worked with Hussein Kamil, those who executed his orders and even those who have no relation with the issue. The said interviews included officers from the Special Security Apparatus, the Special Guards, the Republican Guards, and the Military Industrialization Corporation and its Security Unit. Though this issue has no relation to disarmament, Iraq fully cooperated in this effort hoping that this chapter will come to an end. However, if investigation documents were available, it would be more easy to hand them over to the Special Commission instead of conducting the interviews with individuals and officers working in sensitive sites and thereby save a lot of effort and time.

12. We stand by our position as explained in the clarifications annexed to our letter of 19 November 1998.

Concluding Remarks

In conclusion, I deem it necessary to raise some points of a general nature which have a cardinal importance on this latest episode.

In the first place, the Security Council is aware that it is Iraq's position that it has fulfilled all the requirements of paragraphs 8 to 13 of resolution 687 (1991) which should bring about the implementation of paragraph (22) of the said resolution. It is also well known that UNSCOM thinks otherwise. This difference of positions should be quite evident from the deliberations of the two sides in the high level meeting held in Baghdad on 3 August 1998, during which we addressed the three fundamental questions to the Executive Chairman to which he declined to respond. That led to our decision of 5 August 1998, subsequent to which the proposal of

the Secretary General on the comprehensive review was presented. Since then, significant developments took place. These are illustrated by the intensive consultations between Iraq and the Secretary General and between the members of the Council themselves in which Iraq presented its views; and, the positions adopted by the Council, in regard to Iraq's decisions of 5 August and the subsequent one of 31 October, and notably in resolutions 1194(1998) and 1205 (1998). All these developments could perhaps be summarized in a one equation, namely that Iraq should rescind its decisions and demonstrate that it is prepared to fulfil all its obligations, including in particular on disarmament issues, by resuming full cooperation with UNSCOM and the IAEA, that the Secretary General confirms that to the Council on the basis of reports from UNSCOM and the IAEA and that the comprehensive review commences. In view of the decision of Iraq of 14 November, it is only natural for Iraq to have the legitimate expectation that the resumption of full cooperation should have the comprehensive review in sight. Iraq's understanding of the present situation in the manner I describe here, and as we did in our responses to the first two letters of the Executive Chairman, cannot, by any stretch of imagination, be described as lack of cooperation. This is all the more so, as should appear to any fair minded observer from the extensive comments noted above, that the requests addressed to Iraq by the Executive Chairman have been the subject of extensive discussion and fulfillment in the past. Consequently, it should be puzzling why the Executive Chairman continues to raise settled, or what should be considered as settled questions, and jump to the conclusion that Iraq is not cooperating with UNSCOM, and thereby obfuscate the comprehensive review, while the record, as we noted above, proves otherwise.

Secondly, in the letter addressed to me by the Executive Chairman on 20 November, he noted that "the Council has decided that Iraq must demonstrate that it is prepared to fulfill all its obligations, including in particular on disarmament issues, by resuming full cooperation with the Special Commission and the IAEA." While this formulation appears in resolutions 1194 (1998) and 1205 (1998), the Executive Chairman contends that: "it was to facilitate this process" that he wrote to me on 18 November, as the "materials he sought were designed to clear away as many outstanding issues as possible prior to a comprehensive review and,

of course, provide an opportunity to Iraq to demonstrate the full cooperation required to enable that review to begin." This statement requires some comments. From the record noted above, the requests of the Executive Chairman ignored the record of the past work done by Iraq and regards, as is evident from his requests, all questions as open. This position brings the work back to square one and manipulates the timing and the manner of conducting the comprehensive review irrespective of what was decided by the Council. Furthermore, the position taken by the Executive Chairman boils down to this: that Iraq should always answer any request in the affirmative regardless of the limits of the possible and it is not entitled to make any explanation; otherwise, Iraq, in the view of the Executive Chairman, will not be cooperating.

Thirdly, the members of the Council should be aware that after we adopted our decision of 14 November, we started our preparations for the comprehensive review only to witness a barrage of letters from the Executive Chairman containing requests already discussed and on the whole are either more or less settled or impossible to meet. Now, in the light of the immediate atmosphere prior and after Iraq's decision of 14 November, the statements made by the Executive Chairman in the public media, and notably his article in the 16-23 November 1998 issue of International Newsweek, of which the Council members are aware, we could not but doubt the motivations of the requests addressed to us. ... Certainly, the Executive Chairman could not have been unaware of the declared policy of two permanent members to launch a military attack on Iraq instantly once they deem Iraq as not cooperating with UNSCOM and the IAEA regardless of going back to the Council to deliberate the question. Jumping hastily to the Council to cast doubt on Iraq's cooperation, the Executive Chairman has been acting in fact in a non-professional manner as a United Nations official should.

Finally, I should like to reaffirm once again that Iraq shall adhere to, and act in accordance with, the relevant resolutions of the Council and the Memorandum of Understanding of 23 February 1998.

I would be grateful if you would circulate this letter to all members of the Council. A further original Arabic copy of this letter will be sent in due course.

A handwritten signature in black ink, consisting of a large, stylized loop followed by a horizontal stroke and a small upward tick at the end.

(Signed) Tariq Aziz
Deputy Prime Minister

Enclosure

Letter dated 5 February 1994 from the Executive Chairman of the Special Commission established by the Secretary-General pursuant to paragraph 9 (b) (i) of Security Council resolution 687 (1998) addressed to the Director of the Military Industrialization Corporation of Iraq

I have the honour to refer to my letter of 30 November 1993, and to our discussions in Baghdad between 2 and 5 February 1994 regarding the points raised in that letter.

I very much appreciate receiving your account of the events and the steps taken in Iraq which resulted in the destruction of documentation relating to Iraq's programmes proscribed by Security Council resolution 687 (1991). That account is the first I have received which describes coherently and sequentially the considerations and actions leading to the destruction of documentation which had survived the Gulf conflict. I am of the opinion that the information you have now provided appears comprehensive and sufficient for the purposes of the Special Commission.

I am also most grateful for your making available the accounting records of Iraq's missile use over the years 1980 to 1990. On the basis of their initial forensic examination by experts on UNSCOM 66, and what I have seen myself of the records, I have no reason to believe that they are not authentic. However, given the great significance of these records in resolving outstanding differences regarding Iraq's expenditure of SCUDs, a full and definitive forensic examination, employing techniques not available to UNSCOM 66, should serve to resolve completely this issue. I shall arrange for such an examination in Europe and shall return all the records to you as soon as the examination is complete, and in any event within two months.

(Signed) Rolf EKÉUS
Executive Chairman
Office of the Special Commission



**General Assembly
Security Council**

Distr.
GENERAL

A/53/695
S/1998/1109
23 November 1998

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Fifty-third session
Agenda item 45

SECURITY COUNCIL
Fifty-third year

THE SITUATION IN AFGHANISTAN AND ITS IMPLICATIONS
FOR INTERNATIONAL PEACE AND SECURITY

Report of the Secretary-General

I. INTRODUCTION

1. The present report is submitted pursuant to General Assembly resolution 52/211 B of 19 December 1997, in which the Assembly requested the Secretary-General to report to it at its fifty-third session on the progress made in the implementation of that resolution. In the same resolution, the General Assembly also requested the Secretary-General to report every three months during its fifty-second session on the progress of the United Nations Special Mission to Afghanistan (UNSM). Three progress reports have been submitted: the first on 17 March 1998 (A/52/826-S/1998/222), the second on 19 June 1998 (A/52/957-S/1998/532) and the third on 2 October 1998 (A/53/455-S/1998/913).
2. The present report, which covers developments since the issuance of the Secretary-General's report of 14 November 1997 (A/52/682-S/1997/894), is also submitted in response to requests by the Security Council for regular information on the main developments in Afghanistan. The report describes the principal events that have taken place in Afghanistan, including the major military and political developments and the activities of the Special Mission. It also draws attention to activities in New York, to the missions of my Special Envoy for Afghanistan and to activities in neighbouring countries.
3. On 29 December 1997, Dr. Norbert Holl completed his assignment as Head of UNSMA. Mr. Lakhdar Brahimi continues to serve as my Special Envoy for Afghanistan, while also carrying out other functions for the United Nations at my request from time to time. In conjunction with the Department of Political Affairs, he oversees and guides the activities of UNSMA, including coordination and cooperation in humanitarian and other United Nations activities in Afghanistan. He also undertook political initiatives, as appropriate, aimed at



bringing peace to Afghanistan during his two visits to Afghanistan and neighbouring countries in March/April and September/October 1998.

II. RECENT DEVELOPMENTS IN AFGHANISTAN

A. Military situation

4. The period under review witnessed wide fluctuations in the military balance on the ground, with the Taliban taking control of most of northern and central Afghanistan, which used to be under the control of the United Front (UF). After the breakdown of the intra-Afghan talks in the joint Steering Committee for the Ulema Commission and the subsequent abandonment of the process by the Taliban, the Taliban and the UF forces reneged on their commitment, made during the Steering Committee talks, not to launch major military offensives against each other. Despite repeated international appeals to the contrary, including by the United Nations, the factions resumed fighting, particularly in the north of Afghanistan.

5. Forces under Commander Ahmed Shah Massoud intensified their rocket attacks on Kabul International Airport. According to UNSMA's count, a total of more than 130 rockets landed in the Kabul airport area during the period from 1 June to 20 October 1998. The rockets sometimes missed their targets and hit neighbouring areas with severe consequences for innocent civilian populations and installations. On 20 and 21 September, nine Luna rockets landed in a residential area in the city of Kabul, reportedly killing more than 190 people. As a result of the rocket attacks, both the United Nations and the International Committee of the Red Cross (ICRC) suspended their flights to Kabul. ICRC resumed its flights to Kabul on 27 October 1998.

6. At the beginning of June, the UF forces, under General Abdul Rashid Dostum, leader of the Jumbesh party, launched an attack on the Taliban forces in the Gormach-Bala Murgab area in the north-western province of Badghis, near the border with Turkmenistan. Aided by local Taliban defectors, General Dostum's forces pushed the Taliban beyond the Murghab River down towards Qala-i-Naw, with the presumed intention of driving the Taliban out of Badghis Province. The Taliban repelled the attack and eventually managed to hold the Jumbesh forces at the original front lines.

7. However, the tide of battle changed in mid-July when the Taliban launched a well-organized offensive against UF. On 12 July, in a swift move, the Taliban overwhelmed the defending Jumbesh forces and captured Maimana, the provincial capital of Faryab. They went on to capture Shiberghan, the provincial capital of Jozjan and General Dostum's stronghold, on 2 August. Mazar-i-Sharif, the only major Afghan city not under the control of the Taliban, fell to the militia on 8 August. The Taliban continued their thrust and captured the city of Bamyan in central Afghanistan on 13 September, completing their sweep of the whole of northern Afghanistan, with the exception of a few provinces in the north-east.

8. As the Taliban continued their military advances in northern Afghanistan, tensions between the Taliban and the Islamic Republic of Iran began to loom along the Iranian-Afghan border. The situation deteriorated sharply when the

/...

Taliban acknowledged on 10 September that their troops, acting independently, had killed eight Iranian diplomats and one journalist who were at the Iranian Consulate-General in Mazar-i-Sharif when the Taliban captured the city. After initial military exercises on the border involving 70,000 troops in early September, the Islamic Republic of Iran announced, on 12 September, that it would conduct further military manoeuvres involving an additional 200,000 troops. To counter this, the Taliban moved some 10,000 fighters to the border areas from other frontlines. Tensions still exist between the two sides at the time of the writing of the present report.

9. In spite of their preoccupation with the situation along the Iranian-Afghan border, the Taliban were still bent on wiping out the remaining areas controlled by UF, such as Commander Massoud's last stronghold north of Kabul, before the onset of the winter. However, their multi-pronged offences against him, launched on 10 October, proved futile against the stiff opposition and tactical manoeuvres displayed by the Jamiat forces. Instead, on 17 October, the Jamiat forces recaptured Taloqan, the capital of Takhar Province, which had fallen to the Taliban on 11 August.

10. Throughout the period, there have been many allegations as well as credible reports of external, mostly covert, interference for both sides of the war. One of the stark examples of such outside intervention was the recent interception by the Kyrgyz authorities of a full train-load of weapons and ammunition said to be destined for UF factions. Also, sources reported to UNSMA on sorties of unmarked aircraft to UF airbases and heavy military supplies ferried across the Oxus River to reinforce Massoud forces. The Taliban were in no way immune to similar allegations. There have been persistent reports of massive amounts of support, in terms of military equipment, know-how and funds, that the militia has allegedly received from outside sources. UNSMA has also received reports of large numbers of non-Afghans, mostly of Pakistani origin, said to be engaging in all aspects of fighting alongside the Taliban. UNSMA interviewed a number of captured fighters in Bamyan, all of whom admitted to being Pakistani, but without affiliation to any official institution of the Pakistani State.

B. Political situation

11. During most of the year, the internal political situation was characterized by two factors: the fragmentation of the UF forces and the strengthening of the Taliban. The fragmentation among the factions of UF led not only to the inability of the alliance to achieve any common political objectives (even preserving security in Mazar-i-Sharif in order to allow United Nations and non-governmental organization aid workers to bring assistance to the population), but also ultimately to their inability to defend their territories against a well-planned Taliban offensive. The conquest of Mazar-i-Sharif by the Taliban forced nearly all the alliance leaders to flee the country, leaving Massoud as the only leader still controlling a homogeneous piece of territory in Afghanistan who continued to resist the Taliban. Even during the Steering Committee talks on an Ulema Commission (26 April-3 May 1998), differences among the UF leaders were evident, with some members of the UF delegation seeming more disposed to be flexible than others. This division among partners has been one of the main barriers to the conduct of effective peace talks with the Taliban.

12. The Taliban, on the contrary, have been able to maintain their unity and now control most of the country. They have improved their military skills and have greatly benefitted, both militarily and politically, from the simplicity of their chain of command under the leadership of Mullah Mohammad Omar. However, the fall of Mazar-i-Sharif and Bamyan to the Taliban led to grave violations of human rights, according to well-placed sources, including the killings in the Consulate-General of the Islamic Republic of Iran. These murders were strongly condemned by the international community. The Secretary-General issued a statement condemning the killings on 11 September and the Security Council a presidential statement to the same effect on 15 September (S/PRST/1998/27). As indicated above, the murders provoked a very serious increase in tensions on the Iranian-Afghan border. Moreover, Taliban advances on the borders of central Asian republics have caused much alarm among those countries, which fear the possible spread of a fundamentalist brand of Islam in their territories.

13. The presence in Afghanistan of Mr. Osama bin Laden and the allegations of his implication in the bombings of the American embassies in Kenya and Tanzania led to a retaliatory missile attack on 20 August 1998 by the United States against targets in Afghanistan said to be centres of training for international terrorist activities. On 21 August, two UNSMA officials were deliberately shot at and severely wounded in Kabul; one, Lt. Col. Carmine Calo (Italy), later died from his wounds. It was then decided to withdraw all United Nations agency workers from Afghanistan until the security situation proved conducive to their return. All the above-mentioned events conspired to create a very tense atmosphere, which affected the entire region. Consequently, I took the decision, supported by members of the "six plus two" group, to send my Special Envoy to the region with a view to advancing the goals of the "Points of Common Understanding" (A/53/455, annex) agreed during a six plus two group meeting at the Foreign Minister level on 21 September. A report on the activities of the Special Envoy during his mission is given below.

14. Three other major developments during the past year must be highlighted:

(a) The failed meeting of the Ulema Commission (April-May), which jeopardized intra-Afghan talks;

(b) The situation of high tension on the border between the Islamic Republic of Iran and Afghanistan (August-October);

(c) The attack on UNSMA personnel which led to the United Nations withdrawing all its international staff from Afghanistan. This, together with various events which occurred during the year between the Taliban and the United Nations or non-governmental organizations, created a need for both the United Nations and the Taliban to reassess their practical arrangements for cooperation on the ground.

C. The meeting of the Ulema Commission in Islamabad

15. Originally a Taliban idea endorsed by Pakistani Prime Minister Nawaz Sharif and accepted by Afghanistan President Burhanuddin Rabbani in January 1998, the meeting took shape as a proposed Ulema Commission to settle the Afghan conflict in the light of the Sharia Islamic legal code. My Special Envoy for Afghanistan, Mr. Lakhdar Brahimi, accompanied by Ambassador Mokhtar Lamani, the Permanent Observer of the Organization of the Islamic Conference (OIC) to the United Nations, negotiated the arrangements to convene the Steering Committee in late April with Professor Burhanuddin Rabbani and other UF leaders who gathered in Ashkabad in late March, as well as with Mullah Mohammad Rabbani, leader of the Taliban Shura in Kabul. Ambassador Bill Richardson, the then United States Permanent Representative to the United Nations, visited Afghanistan on 17 April 1998 and both the Taliban and UF gave him their commitment on a number of issues, including a commitment not to initiate any military offensives during the Islamabad meeting.

16. Opened on 26 April 1998 under the auspices of the United Nations and OIC, the meeting generated expectations that an agreement for peace in Afghanistan would be forthcoming. Unfortunately, after three days of intense debate, the meeting foundered on the definition of the word "ulema" and had to be adjourned sine die on 3 May. The Committee failed to agree on any other item of the agenda and the negotiations finally collapsed when the Taliban side announced its decision on 17 May to withdraw from the talks and abandon the exercise altogether.

17. The collapse of the Steering Committee meeting led to renewed fighting in Kunduz and north of Kabul, with increased rocket launches on the city and in Badghis Province. Non-military Afghan groups and individuals nevertheless continued their efforts throughout the year to develop, in various forms, a process that would allow for the restoration of peace in Afghanistan.

D. Tension on the Iran/Afghanistan border and alleged violations of human rights

18. Following the Taliban takeover of Mazar-i-Sharif on 8 August 1998, the Islamic Republic of Iran announced that 10 diplomats and one journalist, all stationed at the Iranian Consulate in Mazar-i-Sharif, were missing. On 10 September, the Taliban announced the recovery of nine bodies, consisting of eight diplomats and one journalist. The Taliban said that these Iranians had been killed on the first day of the Taliban's occupation of the city by Taliban soldiers acting without any instructions. Two diplomats managed to escape and make their way to the Islamic Republic of Iran. The announcement of these murders led to a further escalation of tensions between the Islamic Republic of Iran and Afghanistan. Media reports, quoting Iranian leaders, indicated the probability that the Islamic Republic of Iran was contemplating some sort of military response. The Taliban, on their part, began putting in place some precautionary measures, including the deployment of supplementary forces.

19. Meanwhile, very disturbing information from various sources reached United Nations agencies, in particular the Office of the United Nations High

Commissioner for Human Rights (UNHCHR), regarding allegations of massive human rights violations following the Taliban's occupation of Mazar-i-Sharif and the northern and central provinces of Afghanistan formerly held by UF. Testimonies received mentioned indiscriminate targeting of the Hazara community.

20. The Special Rapporteur of the Commission on Human Rights on the situation of human rights in Afghanistan communicated these allegations to the Taliban seeking their comments and observations. In their response, the Taliban took exception to what they considered to be a one-sided accusation for the alleged human rights violations, citing a singular lack of mention in the Special Rapporteur's report of the atrocities said to have been committed against the Taliban. The United Nations is considering, on an urgent basis, a mechanism for instituting a full inquiry into all allegations of human rights violations, covering those reported in 1997, as well as the most recent ones, as soon as security and conditions permit United Nations international staff to travel and work inside Afghanistan again. A fuller treatment of this issue is contained in the section on human rights below.

E. Attack on personnel of the United Nations Special Mission to Afghanistan and security constraints

21. On 21 August 1998, two UNSMA officials, a Political Affairs Officer and a Deputy Military Adviser, while travelling in a clearly marked United Nations vehicle, were intercepted by a vehicle bearing official Taliban markings, from which an unidentified gunman alighted and began shooting indiscriminately at the two United Nations officials. As indicated above, both were severely wounded, resulting in the death the following day of the Deputy Military Adviser, Lt. Colonel Carmine Calo (Italy). This tragic incident was the first of its kind since the establishment in May 1988 of a United Nations peace mission for Afghanistan. Together with the murder of two Afghan United Nations workers in Jalalabad, it was condemned by the Security Council and the entire international community. I have expressed my regret to the Government of Italy and have offered my personal condolences to Lt. Colonel Calo's family. The United Nations is awaiting a response from the Taliban authorities to a request for a full report, including all information about the circumstances of the attack, identities of the culprits, their motives and any ongoing judicial proceedings. The Taliban authorities so far have expressed regret at the incident and have informed the United Nations that they have arrested two suspects, identified as Pakistani nationals, in connection with this case.

22. These fatal attacks on United Nations personnel and other incidents affecting the security of United Nations workers in Afghanistan led to the withdrawal of all United Nations international staff from the country. Full reports by the Taliban on all such incidents have been made a condition for the United Nations assessment of whether or when United Nations personnel, programmes and funds should return to Afghanistan, as has the Taliban's readiness to cooperate in accordance with the full provisions of the memorandum of understanding of 13 May 1998 and of its supplementary protocol, signed between the Taliban and the United Nations on 23 October 1998.

III. ACTIVITIES OF THE SPECIAL ENVOY

23. During the period under review, my Special Envoy for Afghanistan, Mr. Lakhdar Brahimi, undertook two missions to Afghanistan and the region: between 20 March and 15 April 1998 and between 29 September and 25 October 1998. The details of his first mission were covered in my second progress report (A/52/957-S/1998/532).

24. In late September 1998, I decided to dispatch my Special Envoy to the region for the second time this year, with a view to addressing the most urgent issues: namely the alleged mass killings of civilians following the flare-up of the fighting in northern Afghanistan and increasing tensions between the Islamic Republic of Iran and the Taliban. My decision was supported by the six plus two group when it adopted the points of common understanding at its Foreign Minister level meeting on 21 September (see annex to A/53/455-S/1998/913). Mr. Brahimi's mission visited six countries in all. Starting with the United Arab Emirates, the mission then proceeded to the Islamic Republic of Iran, Pakistan, then back to the Islamic Republic of Iran, Uzbekistan, Tajikistan and Turkmenistan. In Tehran, the mission was joined by an OIC delegation led by Mr. Ibrahim Bakr, Under-Secretary-General and Special Envoy of OIC for Afghanistan. Before and after his visit to the region, Mr. Brahimi was received by the President of the United Arab Emirates, Sheikh Zayed bin Sultan al-Nahyan. Before departing for the region, Mr. Brahimi was also received by Prince Saud al-Faisal, Minister for Foreign Affairs of Saudi Arabia.

25. While the mission was in Islamabad, I decided to authorize, on an exceptional basis, a one-day visit by the mission to Kandahar on 14 October for consultations with the Taliban leadership at the invitation of the supreme leader of the Taliban, Mullah Mohammad Omar. The decision was made following intensive consultations between Mr. Brahimi and a Taliban delegation headed by Mullah Wakil Ahmad Mutawakil at Islamabad on 10 and 11 October 1998, at which the Taliban gave my Special Envoy assurances that they would address seriously unresolved United Nations security concerns about the possible return of international United Nations staff to Afghanistan and, in particular, would share information on their investigation into the killing of Lt. Colonel Calo and the two local United Nations employees.

26. During his talks with Mullah Omar, Mr. Brahimi secured agreements from the Taliban leadership on the release of all the Iranians, described by the Islamic Republic of Iran as innocent truck drivers said to have been captured in Mazar-i-Sharif and subsequently transferred for detention in Kandahar. The Taliban leader also confirmed his commitment to the continued investigation by the Taliban of the killing of the Iranian diplomats and the Iranian journalist in Mazar-i-Sharif and promised that the Taliban authorities would support and cooperate with an international mission of inquiry into all circumstances surrounding the fate of the above-mentioned slain Iranians. While it was not possible to obtain a formal apology from the Taliban for the killing of the Iranian diplomats, Mullah Omar agreed to let Mr. Brahimi express, on his behalf, the Taliban's regret over the death of these Iranians and sympathy for the bereaved families. Furthermore, Mullah Omar agreed to the suggestion made by the United Nations-OIC mission that the authorities of the Islamic Republic of Iran and the Taliban should meet at a responsible, political level at a mutually

agreeable time and place, such as the OIC Headquarters in Jeddah or the United Nations Offices in Geneva, Vienna or New York. Following these agreements, the United Nations, in close cooperation and coordination with the International Committee of the Red Cross (ICRC), received the 26 Iranian truck drivers from the Kandahar jails and successfully evacuated them to Tehran on 17 October 1998. The Iranian authorities subsequently notified the mission that one more of their nationals was still being held in detention by the Taliban. UNSMA and ICRC are making enquiries as to the whereabouts of this missing person.

27. Regarding human rights, Mullah Omar indicated that the Taliban authorities were ready to cooperate with an international investigation into the reported mass killings and mass graves of Taliban fighters in Mazar-i-Sharif, Dasht-i-Leli, in the jail of Bamyan and the recent claims and reports of mass killings. Mr. Brahimi also discussed with Mullah Omar and other Taliban leaders in Kandahar the possibility of placing civilian monitors in key places in Afghanistan as soon as possible to deter further abuses of human rights in Afghanistan. The Taliban leaders agreed that the matter should be discussed further in talks between the United Nations and the Taliban.

28. In Tehran and Dushanbe, the mission met the UF leaders, including Professor Rabbani, Karim Khalil, leader of the Hezb-i-Wahdat, General Dostum and Commander Ahmed Shah Massoud. In addition, the mission had occasion to meet a number of accredited representatives of many Governments, individually or as members of established regional groupings, as well as representatives of various sectional Afghan interests and individual personalities.

29. The core issue of how to achieve lasting peace in Afghanistan was always at the centre of all the consultations both with the Afghan factions and leaders of the Governments concerned. In his talks with Mullah Omar, Mr. Brahimi stressed the need for the genuine establishment of a broad-based, multi-ethnic, representative government and for the creation of conditions under which all ethnic and religious groups could live in harmony. This could be done when, and only when, Afghan leaders agreed on a sound political system in which the interests of all ethnic, religious and social groups were duly reflected. Mr. Brahimi made clear to the Taliban leader that the inclusion of a few non-Pashtoon officials into their hierarchy did not necessarily make the Taliban a broad-based government, as defined by the General Assembly, the Security Council and the six plus two group. What was needed was genuine power-sharing. In their written reply, as well as in the mission's consultations with them, the Taliban made clear that they did not see any benefit in a ceasefire and claimed that their government, which included leaders from minority ethnic groups, was already a broad-based government that should be recognized by the international community and the United Nations. All UF leaders, including Commander Massoud, reconfirmed their readiness for a political settlement, but failed to show any convincing signs that they would be less divided than before. They all complained bitterly about external interference, which they considered the main reason for their defeat and the continuation of war.

30. During his second visit to Tehran, Mr. Brahimi explained to the Government of the Islamic Republic of Iran the agreements he had secured with the Taliban leadership. He then expressed the hope that, since most of the Iranian demands had been met, Tehran might take reciprocal steps, such as the release of a

comparable number of Taliban prisoners wherever they might be held, the withdrawal of a substantial part of Iran's troops from the border and the opening of a direct dialogue with the Taliban at a political level. The Iranian authorities assured Mr. Brahimi that they would endeavour to secure the release of Taliban prisoners by UF. However, they indicated that they were reluctant to undertake a political dialogue with the Taliban, at least until they arrested and put to trial those suspected of killing the Iranian diplomats.

31. During its stay in the central Asian republics from 21 through 24 October 1998, the mission was received by the Presidents of Uzbekistan and Tajikistan, as well as by the Ministers for Foreign Affairs of the three countries. These leaders, particularly those in Uzbekistan and Tajikistan, were seriously apprehensive of the Taliban advances in northern Afghanistan. They took special exception to the potential threat of infiltration into their countries of the Taliban brand of Islamic fundamentalism, which they feared would inevitably destabilize their political, social and cultural foundations. They therefore expressed hopes that appropriate measures would soon be put into effect to promote a peaceful solution of the Afghan conflict through serious dialogue between the various factions. One of such measures, according to the President of Uzbekistan, Islam Karimov, was the holding of a high-level meeting of the six plus two group in Tashkent, which, he said, must be preceded by careful preparations in order to produce concrete and substantive results. The Uzbek President had earlier issued a joint communiqué with the President of the Russian Federation, Boris Yeltsin, in which the two leaders supported the convening of such a meeting with the participation of representatives of the various Afghan forces. At the time of the writing of this report, the Uzbek authorities were in consultation with other countries which are members of the six plus two group in order to prepare for such a meeting.

IV. ACTIVITIES OF THE SPECIAL MISSION

32. As mandated by the General Assembly in its resolution 52/211 B, UNSMA continued its efforts to facilitate national reconciliation and reconstruction in Afghanistan and explored opportunities for bringing the factions together and starting a dialogue. During 1998, UNSMA focused its efforts on supporting the peacemaking activities of my Special Envoy, in particular the promotion of an intra-Afghan dialogue through the setting up of an Ulema Commission and in many other ways.

33. Before the shooting of the UNSMA officials on 21 August 1998, UNSMA political affairs officers and military advisers had met regularly, in Afghanistan, with leaders of Afghan factions. Throughout 1998, UNSMA remained in close touch with the Pakistani authorities in Islamabad, stressing that national reconciliation could only be achieved with the support and cooperation of neighbouring States. UNSMA was regularly informed of the progress of the Pakistan-Islamic Republic of Iran joint peace initiative undertaken by the two countries after the collapse of the Ulema Commission in June. UNSMA also kept in close contact with the diplomatic community in Islamabad, notably members of OIC and the Group of 21 countries. The role played by UNSMA, in conjunction with OIC, in organizing and managing the Ulema Commission exercise has already been described above.

34. The Special Mission also engaged in other activities. For example, it was involved in meetings of the Society for Preservation of Afghanistan's Cultural Heritage, a group dedicated to preserving the cultural and historic relics of Afghanistan. UNSMA played a role in the preparation of the strategic framework for the next humanitarian appeal for Afghanistan, reinforcing its ties with humanitarian agencies and non-governmental organizations.

35. UNSMA continues to maintain useful contacts with other, non-warring Afghan factions and personalities. It supports calls by these independent Afghans for an end to the fighting and any proposals which might advance the cause of peace, including the convening of a genuine Loya Jirgah to promote a political settlement. This informal, time-honoured Afghan method for settling disputes continues to deserve the Special Mission's attention and, under appropriate conditions, its support.

V. ACTIVITIES AT THE UNITED NATIONS

36. During the reporting period, I convened the fourth and fifth meetings of the Group of 21 countries with influence in Afghanistan: the fourth on 1 June 1998, following the collapse of the Ulema Commission process; and the fifth on 29 October, following the second mission of my Special Envoy. Mr. Kieran Prendergast, Under-Secretary-General for Political Affairs, chaired the fourth meeting and Mr. Brahimi the fifth. These meetings were attended by China, Egypt, France, Germany, India, the Islamic Republic of Iran, Italy, Japan, Kazakhstan, Kyrgyzstan, the Netherlands, Pakistan, the Russian Federation, Saudi Arabia, Sweden, Tajikistan, Turkey, Turkmenistan, the United Kingdom of Great Britain and Northern Ireland, the United States of America and Uzbekistan, as well as by OIC.

37. At my request, the Special Envoy and the Under-Secretary-General for Political Affairs also held a total of seven meetings of the six plus two informal group, which comprises Afghanistan's six immediate neighbours - China, the Islamic Republic of Iran, Pakistan, Tajikistan, Turkmenistan and Uzbekistan - plus the Russian Federation and the United States of America. Among those meetings was one held in New York on 21 September, for the first time at the Foreign Minister level.

38. I should like to take note with gratitude that groups of Member States, as well as individual Member States which are not members of the six plus two group but are nevertheless concerned, have been cooperating with the group in facilitating the United Nations peacemaking activities in Afghanistan. One such example is a group formed by France, Germany, Japan and the United Kingdom of Great Britain and Northern Ireland, which, together with the Russian Federation and the United States of America, have coordinated their activities with the six plus two group.

VI. HUMANITARIAN ACTIVITIES

Humanitarian situation

39. The ongoing conflict in some parts of the country continues to impede the international community's ability to respond to widespread humanitarian emergencies. This has limited access to some vulnerable populations, particularly in the central and north-eastern areas and in some cases has resulted in the loss of pre-positioned supplies, notably of food.

40. Following the temporary relocation from Afghanistan of international staff on 21 August 1998, after the two United Nations international staff members were shot in Kabul, United Nations agencies all subscribed to the "Next Steps Paper", which set out principles, strategic objectives and requirements to be met by the Afghan authorities. In the context of this paper, the United Nations and the Taliban signed a supplementary protocol on security to their memorandum of understanding of 13 May 1998. Since signing this document in October, the Taliban authorities have met a number of commitments. One of the two staff members who had been detained in Kabul was released, though the other case remains unresolved.

41. Initial steps have been taken to investigate the murder in July of two locally-recruited staff from Jalalabad and of one international staff member in Kabul in August. The United Nations has received reports on several cases of looting of equipment and supplies and on damage to United Nations property, but there is a need for additional information and evidence of effective follow-up. The Taliban must meet these outstanding commitments before the return of international staff can be considered. While ongoing United Nations programmes are continuing under the management of national staff, it has not been possible to embark on new assistance activities since September 1998.

42. Despite the temporary relocation of United Nations international staff, it has been possible to make additional progress on the provisions of the memorandum of understanding signed in May by the Taliban authorities and the United Nations. This has resulted in the establishment of a joint consultative commission and two additional commissions to deal with substantive issues related to the provision of education and health services. The fact that these commissions have not yet met limits the ability of the United Nations to respond to its commitments under this agreement, specifically in the health and education sectors. The United Nations is in the process of reviewing options for continued delivery of essential assistance in the country in the event that international staff are unable to return in the coming months.

43. A limited number of international non-governmental organizations that had withdrawn from Kabul in the face of an order to relocate to Kabul Polytechnic have chosen to return to the city and to resume some activities. This resumption has been conditional upon a process of registration with the authorities and commitment to relocate to the Polytechnic. In some cases, the resumption of activities by non-governmental organizations in other parts of the country has also been conditional upon registration in Kabul. This issue was one of the subjects discussed in two non-governmental organization commission meetings in August 1998. Two additional commissions, one for the reopening of

sealed offices and one to oversee the relocation process, were established in October.

44. Following a request in September 1998 from the Taliban authorities to respond to humanitarian needs in Hazarajat in central Afghanistan, the United Nations has repeatedly sought permission to travel to the area by air or land. Authorization for a road mission was finally granted in early November, and a national team is en route to the area to undertake a general assessment of needs and to review access options. The provision of additional assistance will, however, require the involvement of United Nations international staff in the management of the operation, as well as credible evidence that security can be provided for supplies.

45. Reports indicate that trade and transport between Kabul, Ghazni and Hazarajat (which was subject to blockade until the takeover of the area by the Taliban) has resumed, with significant through-traffic proceeding onward to Mazar-i-Sharif. The lifting of the blockade might have a positive impact on communities' ability to sustain themselves during the winter ahead. However, it is likely that a significant proportion of families will not have the means to buy essential commodities. The World Food Programme (WFP) estimates that up to 160,000 people in the area will need some 5,300 tons of food to avert hunger during the coming winter. Unfortunately, 1,500 metric tons of food aid, as well as vehicles, disappeared from WFP warehouses in Bamyan and Yakawlang following the recent fighting in the area. WFP strongly protested these losses to the Taliban leadership.

46. In Kabul, the bulk of immediate humanitarian needs are for the moment being met by the combined programmes of WFP, ICRC and CARE, with important contributions from other agencies. This situation might be affected by further displacement and contingency plans are in place for this if needed. In addition to relief distribution in Kabul, there is concern about the impact of the withdrawal of the support of non-governmental organizations to health-care structures. Technical agencies and concerned non-governmental organizations are monitoring the situation.

47. Following the displacement of significant numbers of people from Pul-e-Khumri in northern Afghanistan during skirmishes in July, there were subsequent reports of population movements to the Kayan valley during the takeover of parts of Baghlan Province by the Taliban in August. There have been reports that up to 40,000 people may have been forced up the Kayan valley into the remote Dara and Nekba valleys in the face of advances by the Taliban. There is every reason to believe that these displaced communities will face difficulties in surviving the harsh winter in these valleys, which are sparsely inhabited and difficult to access. An international non-governmental organization is trying to arrange for the transport of 30 tons of food from Pul-e-Khumri to the area, but there may be a need for additional stocks to be brought in for the winter. These displaced families are also likely to require non-food assistance if they remain in the area. In addition, some 2,000 people have arrived in Peshawar, where reception centres have been set up by non-governmental organizations.

48. Between 1 January and 1 November 1998, a total of 86,200 Afghan refugees returned voluntarily from Pakistan with assistance from the Office of the United Nations High Commissioner for Refugees (UNHCR), with a further 1,600 returning from the Islamic Republic of Iran. Despite the many problems facing Afghanistan, this is the largest repatriation anywhere in the world this year and brings the total number of Afghans who have returned to 4.1 million. UNHCR's new group repatriation scheme for Afghan refugees in Pakistan accounted for 18,000 of the total. However, the scheme has been badly undermined by the unprecedented funding crisis, which has led to the suspension of all organized group repatriations for the remainder of 1998. This has meant the suspension of a number of rehabilitation projects promised to groups that were repatriated earlier in the year, thereby damaging the credibility of the scheme in the eyes of the refugees.

49. In the north-eastern Provinces of Badakhshan and Takhar, the conflict has exacerbated the vulnerability of many remote communities. There are plans to strengthen United Nations national staff in this region, with a view to needs monitoring (particularly food) in the coming months, and to prepare for relief distribution to vulnerable groups. Food continues to be brought in by WFP and others through Tajikistan, but this route could be affected by any intensification of hostilities.

50. The north-eastern region has continued to experience sporadic seismic activity following the devastating earthquakes in February and May 1998. As part of the reconstruction effort, support is being given for the rebuilding of some 15,000 homes, 10,000 of which should be completed by the end of November 1998. The non-governmental organizations involved in this programme are planning for the winterization of incomplete homes and the identification of potentially vulnerable families, which may need to relocate to adjacent areas (Kunduz or Faizabad) for the winter. Among other activities, WFP is distributing 250 kilograms of wheat to families who have rebuilt their homes in the districts of Shahr-i-Buzurgh, Rustaq and Chah Ab.

51. Despite the withdrawal of international staff, the Office of the United Nations for the Coordination of Humanitarian Assistance to Afghanistan (UNOCHA) Mine Action Programme for Afghanistan has continued its operations throughout most of the country. Several independently-financed non-governmental organizations continue to face funding shortfalls owing to revised policies by some donors. The achievements of the Mine Action Programme thus far in 1998 include clearance of 23 square kilometres of mined areas, clearance of 25 square kilometres of land contaminated by unexploded ordnance, a survey of 57.5 square kilometres of mine- and unexploded ordnance-contaminated land and provision of mine awareness training to almost 500,000 Afghans. In October, the Taliban authorities formally announced a ban on the production, transfer and sale of landmines. Several confirmed or reliable reports have been received indicating that the northern alliance has continued to lay mines periodically. The full extent of new mines laid cannot yet be assessed owing to the lack of secure conditions in those areas.

52. As of 13 November 1998, some \$51 million had been contributed or pledged for projects in the 1998 consolidated appeal for assistance to Afghanistan, representing one third of the appeal requirements of \$157 million. In addition,

some \$36 million has been contributed or pledged for non-appeal projects in 1998.

53. Despite the withdrawal of most international staff, collaborative efforts continue within the assistance community to implement principled common programming of aid activities in Afghanistan. On 10 November 1998, the first meeting of the Afghanistan Programming Body was held at Islamabad, comprising representatives from the United Nations, non-governmental organizations, ICRC, the International Federation of Red Cross and Red Crescent Societies and major donor countries, providing guidance on the preparation of the 1999 consolidated appeal, among other issues.

VII. HUMAN RIGHTS

54. The situation of human rights in Afghanistan did not improve over the past year. It has, in fact, deteriorated with regard to several aspects and remains a cause for serious concern. Of particular concern are allegations of mass killings and other serious violations of human rights and international humanitarian law in northern Afghanistan in 1997 and 1998, which have been committed by all sides involved in the conflict. Many of the killings have been of a retaliatory nature.

55. The atrocities committed by all parties involved in the conflict over the past two years have widened the ethnic and religious divide between different Afghan communities and have further undermined the social fabric of Afghanistan, which has been rendered fragile by almost two decades of war.

56. The situation of women and girls in Afghanistan, which has deteriorated in all areas under the control of the Taliban movement, continues to be of serious concern. Women and girls continue to be denied access to adequate health care, to all levels and types of education, to employment and at times to humanitarian assistance. In addition, a number of women and girls were reportedly abducted and raped during the tragic events which took place in northern Afghanistan in August 1998.

57. In December 1997, following the announcement of the discovery of mass graves in northern Afghanistan in November 1997, the Special Rapporteur of the Commission on Human Rights on the situation of human rights in Afghanistan visited a number of sites where persons had been buried in that part of the country. He was accompanied during the visit by a forensic expert. In his report to the Commission on Human Rights, the Special Rapporteur recommended that an investigation of the killings take place.

58. In May 1998, the Office of the United Nations High Commissioner for Human Rights (UNHCHR) sent an exploratory mission to Afghanistan to determine the feasibility of an investigation into allegations of serious violations of human rights and international humanitarian law committed in Afghanistan in the course of 1997. In the light of the mission's report, and in view of the extremely serious violations of human rights and international humanitarian law reported to have taken place in 1998, the Department of Political Affairs, the Office for the Coordination of Humanitarian Affairs and UNHCHR jointly decided to proceed

with preparations for an investigation of those reports, which will be carried out under the auspices of UNHCHR.

59. In addition, it is the intention of a number of thematic special rapporteurs of the Commission on Human Rights to undertake visits to Afghanistan within the purview of their respective mandates. A human rights adviser for technical cooperation programming has been seconded to UNOCHA.

VIII. QUESTION OF ILLEGAL DRUGS

Activities of the United Nations International Drug Control Programme

60. The pilot country programme of the United Nations International Drug Control Programme (UNDCP) for Afghanistan has developed steadily but slowly. It is based upon a UNDCP commitment to fund development activities in specific poppy-growing areas in exchange for the Taliban's agreement: (a) not to permit cultivation of opium poppy into new areas; (b) to allow UNDCP to survey the opium poppy crop; and (c) to take action against trafficking of illicit drugs and for the destruction of illicit laboratories. Development activities have been agreed with counterpart authorities and beneficiary communities through separate drug control action plans for one district in Nangarhar Province (Shinwar) and for three districts in Qandahar Province (Ghorak, Majwand and Kakhrez). The former foresees poppy being eliminated by the year 2001, the latter by the year 2000.

61. Activities for the reduction of the poppy crop continued within existing constraints, focusing on rehabilitation of small irrigation systems, canal desilting and the maintenance of canal structures, restoration of a power station, development of community service infrastructures such as health centres and the introduction of new improved seeds to farmers as substitutes for the opium poppy. Most of this work was undertaken in Nangarhar Province in the east, where conditions permitted sustained interventions. In Qandahar, the other operational zone for the pilot programme, activities were implemented more haltingly, the most significant intervention being the provision of equipment to restore the Qandahar electrical sub-station. To date, a total of 71 sub-projects have been approved for the entire programme. Of these, 54 relate directly to poppy crop reduction.

62. The Programme's monitoring and evaluation module, which is central to development of a knowledge base on narcotics in Afghanistan, became fully operational in 1998. Studies commenced at the farmer/trader/community level and the fifth annual opium poppy survey of Afghanistan was undertaken (its main results are outlined below). The three drug control coordination units of Nangarhar, Kabul and Qandahar continue to deliver according to the workplans.

63. The pilot programme's results have to date been mixed, largely because of the highly volatile situation currently prevailing in Afghanistan. In 1998, the overall area under opium poppy cultivation increased by 9 per cent to 63,674 hectares. Despite the agreement reached with the Taliban, opium poppy cultivation was found to have spread to several new districts in the areas under their control. Aside from the burning of 2 metric tons of opium in Jalalabad in

June, no enforcement action has been reported by the Taliban authorities against the production and trafficking of opiates. As for specific project target districts, there was a drop in opium cultivation in Ghorak district of Qandahar, but an increase in cultivation in the districts of Kakhrez and Majwand. In Shinwar district, opium cultivation was almost unchanged.

64. UNDCP has been fully engaged in the effort currently under way to bring drug control issues squarely within the donor-endorsed common programming process through system-wide support for "a positive conditionality" in the narcotics-producing provinces of Afghanistan. This approach builds upon key recommendations of donor countries following the meeting of the Afghanistan Support Group in London in May 1998.

65. In line with instructions issued by Headquarters, all United Nations international staff was evacuated from Afghanistan after 22 August 1998. Despite the uninterrupted efforts of UNDCP's national staff still operating inside Afghanistan, this development will clearly affect the implementation of programme activities.

Plans and issues for the future

66. Elimination of opium poppy cultivation, drug trafficking and drug abuse in Afghanistan remains a long-term objective that UNDCP will continue to address in 1999. In tackling those three elements of the drug problem in Afghanistan, UNDCP will follow a two-pronged approach: first by emphasizing community participation; and secondly by identifying the potential for cooperation with the Taliban authorities in drug control efforts.

67. With regard to the elimination of illicit cultivation and the reduction of drug abuse, current conditions force the aid community to address the causes of the drug problem primarily through community participation. This approach will first be implemented in the target areas of the ongoing UNDCP pilot programme in Nangarhar and Qandahar Provinces through the promotion of opportunities for self-employment and small-scale commercial enterprises, training programmes for women in basic family health and livestock production. A comprehensive demand reduction programme will be implemented. In addition, UNDCP support will be provided to international aid agencies working in other opium poppy-growing areas through common programming.

68. As foreseen in the Strategic Framework for Afghanistan, UNDCP will finalize a practical and workable policy on drug control as well as a set of standards and benchmarks against which to measure progress and compliance in the area of drug control. UNDCP will improve inter-agency collaboration in order to incorporate drugs as a cross-cutting issue within the five thematic objectives of the Strategic Framework and to ensure programmatic coherence. This new approach, which will be part of a common consolidated alternative development framework, will require a common planning process, better coordination and communication between aid organizations and a monitoring mechanism to ensure progress in opium poppy elimination.

IX. OBSERVATIONS AND CONCLUSIONS

69. Afghanistan, once a flashpoint of superpower rivalry, has now become the stage for a new, regional version of the "Great Game", in which the domestic, economic and national security interests of Afghanistan's neighbours and their supporters are played out. A vicious cycle has developed in which the inability of the Afghan factions to agree to a political settlement is both the cause and the effect of persistent outside interference in the affairs of Afghanistan.

70. In the last few months, the military victories scored by one of the factions have brought about a new phase in the long Afghan saga. As at September 1998, the Taliban has taken control of most of the country and UF, with the significant exception of the fighters under the command of Ahmed Shah Massoud, appear to have been largely eliminated as a viable fighting force, at least for the moment. However, a political solution still remains elusive. If anything, the success of the Taliban on the battlefield appears to have reduced the willingness of some parties to negotiate further and has also increased the prospect of a deeper regionalization of the conflict.

71. Although I remain convinced that a durable settlement can be achieved only through a ceasefire and the start of a political dialogue among Afghans leading to national reconciliation and the establishment of a genuinely broad-based, multi-ethnic and representative government, and while both my Special Envoy and UNSMA will continue to promote these objectives, it is clear that these goals cannot be attained without a concerted effort by all the outside powers concerned. The six plus two group of countries has provided a useful forum in which to discuss the Afghan issue. I am, however, somewhat disappointed by the failure of some of those countries to narrow their differences and to cease supplying the weapons and other war matériel that fuel the conflict in Afghanistan. While I appreciate that they have legitimate interests to protect in Afghanistan, I find it paradoxical that, instead of genuinely promoting the establishment of a peaceful and stable Afghanistan, these countries continue their clandestine military support for their favoured Afghan factions, despite their professed recognition that the prolongation of the conflict poses a threat to their own stability.

72. I welcome the success of my Special Envoy in defusing a possible military confrontation between the Islamic Republic of Iran and the Taliban during his recent visit to the region, following the shocking murder of the Iranian diplomats and the journalist in Mazar-i-Sharif in August 1998. It is my sincere hope my Special Envoy's achievements will continue to be built upon, inter alia, by prosecuting those responsible for the murders and releasing any remaining Iranian prisoners. It is essential for the Islamic Republic of Iran and the Taliban to open a bilateral dialogue at an early date with a view to a further reduction of tensions, particularly along the border. The United Nations, in close cooperation with OIC, will continue to foster such a dialogue.

73. While its achievements to date may be modest, I will continue to convene informal meetings of the six plus two group. At this juncture, a promising development is the proposed ministerial meeting of the group at Tashkent, which, I believe, should be convened after adequate preparation and with the

participation of all major Afghan factions. I shall also continue to consult with the Group of 21 countries with influence in Afghanistan, which constitutes an indispensable complement to the six plus two group.

74. My Special Envoy will continue to play the primary role in conducting the United Nations peacemaking activities in Afghanistan. UNSMA will continue to support my Special Envoy's good offices, monitor the overall political and military situation in Afghanistan and maintain and strengthen contacts with all Afghan factions, in particular the Taliban authorities, as well as with all other interested parties and organizations, including neighbouring States and others concerned about the situation in Afghanistan.

75. Reports of mass killings and other forms of gross violations of human rights and international humanitarian law in Afghanistan have become a major source of concern to the international community at large and to the United Nations in particular. It is therefore my intention, with the consent of the Taliban and other relevant Afghan authorities, to add a new monitoring function to UNSMA, with the primary objective of promoting respect for minimum humanitarian standards and deterring massive and systematic violations of human rights in the future. To this end, I propose to establish a separate civil affairs unit, initially composed of 12 monitors who, security conditions permitting, would be deployed in major centres in Afghanistan. Their exact location, mandate and functioning would be determined following the return of an assessment team, which I intend to dispatch to Afghanistan at an early date, with the agreement of the Afghan authorities. In this connection, I am including preliminary provisions in the forthcoming report on the proposed 1999 programme budget for UNSMA, which will include its new staffing table and other pertinent details.

76. In the months to come, I will be looking to UNSMA and to all United Nations funds and programmes, in particular UNOCHA, to further strengthen their coordination in the context of the strategic framework for Afghanistan, a process which I follow with great interest. It is my strong hope that United Nations staff members working for all these entities will shortly be able to return to Afghanistan. But before this can happen, it will be necessary for the Taliban authorities to furnish the information that has been requested so often of them regarding the recent murders of United Nations international and local staff, as well as to provide credible assurances that the United Nations agencies will be able to carry out their vital humanitarian work free from the obstacles and harassment they have regrettably faced in the past. In this connection, I should like to salute the courage and perseverance of the United Nations staff members who have been working in Afghanistan under such dangerous and discouraging conditions.

77. I shall continue to keep the General Assembly and the Security Council periodically informed about developments relevant to the search for a negotiated and lasting solution in Afghanistan and the progress achieved in furthering a common approach among the six plus two group countries. I should not like to conclude the present report without acknowledging the work of my Special Envoy, Mr. Lakhdar Brahimi, whose diplomatic wisdom and political experience have been invaluable in the efforts to move the peace process forward in Afghanistan. I

also wish to pay tribute to all the staff members of UNSMA and to its Acting Head, Mr. James Ngobi, who will be leaving the Mission at the end of this year, for their commitment to the search for peace in Afghanistan, the cause for which UNSMA's Military Adviser, Lt. Col. Calo, as well as Mr. Mohammad Nazir Habibi of UNHCR and Mr. Mohammad Hushim Bashayar of WFP, whose deaths we mourn, gave their lives.
